

EXHIBIT “25”

STATE OF PENNSYLVANIA
COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

BRENT R. MILLER,
INDIVIDUALLY, AND AS
PERSONAL REPRESENTATIVE OF
THE ESTATES OF JEHRID AND
ANGELA MILLER, DECEASED,
AND JACOB MILLER, A MINOR
AND SARA MILLER, A MINOR

vs. DECEMBER TERM, 2008
NO. 002760

PIPER AIRCRAFT, INC. F/K/A
THE NEW PIPER AIRCRAFT,
INC. F/K/A PIPER AIRCRAFT
CORPORATION, LYCOMING A/K/A
LYCOMING ENGINES A/K/A
TEXTRON LYCOMING
RECIPROCATING ENGINE
DIVISION, AVCO CORPORATION,
TEXTRON, INC. AND HARTZELL
PROPELLER, INC.

VIDEOTAPED DEPOSITION OF ANN T. WILLAMAN
Taken in the above-entitled cause on August 26, 2010, at
10:00 A.M. on behalf of the Plaintiffs before Linda S.
Taylor, a Notary Public in and for the State of Rhode
Island, at Conferview, 2348 Post Road, Warwick, Rhode
Island.

RHODE ISLAND COURT REPORTING
747 NORTH MAIN STREET
PROVIDENCE, RHODE ISLAND 02904
(401) 437-3366

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APPEARANCES

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(Via Phone)
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BY: CATHERINE SLAVIN, ESQ.
-and-
ANDREW C. SPACONE, ESQ.

RHODE ISLAND COURT REPORTING
747 NORTH MAIN STREET
PROVIDENCE, RHODE ISLAND 02904
(401) 437-3366

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(COMMENCED AT 10:00 A.M.)

(PLAINTIFF'S EXHIBIT 1 & 2 MARKED FOR
IDENTIFICATION)

THE VIDEOGRAPHER: We are now
recording and on the record. My name is Michael
Amato. I'm a certified legal video specialist for
National Video Reporters, Inc. Our business
address is 11 South Angell Street, Providence,
Rhode Island, 02906.

Today is August 26, 2010. The time is
ten o'clock. This is the deposition of Ann T.
Willaman in the matter of Brent R. Miller, et al,
Plaintiff, versus Piper Aircraft, Inc. f/k/a The
New Piper Aircraft, Inc., et al, Defendants, in
the Court of Common Pleas, Philadelphia County,
Case Number 002760. This deposition is being
taken at 2348 Post Road, Suite 101, Warwick, Rhode
Island, on behalf of the Plaintiff. The court
reporter is Linda Taylor of Rhode Island Court
Reporting.

Counsel will please state their appearances
and the court reporter will administer the oath.

MR. STOLL: Good morning. My name
is Bradley Stoll of The Wolk Law Firm and I

RHODE ISLAND COURT REPORTING, INC.
(401) 437-3366

1 represent the Plaintiffs.

2 MS. SLAVIN: Catherine Slavin from
3 Cozen O'Connor. I represent Textron, Inc. and
4 Avco Corporation.

5 MR. SPACONE: Andrew Spacone,
6 Deputy General Counsel and Assistant Secretary,
7 Textron, Inc., representing Textron, Inc.

8 THE VIDEOGRAPHER: Thank you.

9 ANN T. WILLAMAN

10 Being duly sworn, deposes and testifies as follows:

11 THE REPORTER: Would you state your
12 full name for the record, please.

13 THE WITNESS: My full name is Ann,
14 A-n-n, middle initial T, Willaman,
15 W-i-l-l-a-m-a-n.

16 MR. STOLL: May I proceed?

17 THE VIDEOGRAPHER: Yes, you may.

18 EXAMINATION BY MR. STOLL

19 Q. Miss Willaman, good morning. I just have a few
20 things, preliminary things to say to you in the
21 beginning. First is this is a deposition. It's
22 being recorded by the stenographer and video
23 recorded. And it would be easier if you and I, if
24 we don't try to speak over each other so that the

1 Q. And would you be kind enough to go through the
2 positions that you held at Textron, Inc. for me?

3 A. I joined the company in February of 1977. At
4 that time, I was the coordinator of corporate
5 procedures. I worked in the Corporate Secretary's
6 Department, and my responsibility was to draft and
7 prepare the Textron, Inc. corporate procedures
8 manual. That took approximately two years. And in
9 1979, I applied for and received a job as a
10 paralegal in the Textron Corporate Legal
11 Department, and I had a number of positions within
12 the Corporate Legal Department up until just this
13 past December when I joined the Corporate
14 Secretary's Department once again. While I was in
15 the Legal Department, I was a paralegal, as I
16 mentioned before. I was also an administrator and
17 ended my tenure in Legal Department as executive
18 department administrator.

19 Q. Did I hear you correctly that you've been involved
20 in the Legal Department from 1979 until last
21 December?

22 A. That's correct.

23 Q. Okay. And since last December, is that when you
24 became the assistant secretary?

1 stenographer can take an accurate record. And if
2 you have any questions about my questions, if you
3 don't understand them, please ask me to rephrase
4 and I will do my best to clarify what I'm asking.

5 I don't have any more instructions other than
6 that, but if we come across a glitch in the
7 deposition, I'm sure we'll address it. Can we
8 agree to those instructions?

9 A. Certainly.

10 Q. Okay, thank you.

11 And is there any reason today why you couldn't
12 give your best testimony?

13 A. There is no reason.

14 Q. Okay. Would you be kind enough to tell me what
15 your employment is?

16 A. Sir, I'm sorry, you said my employment?

17 Q. Yeah. What is your job title?

18 A. My job title is Assistant Secretary of
19 Textron, Inc.

20 Q. And I assume that means that Textron, Inc. is your
21 employer, as well?

22 A. That is correct.

23 Q. How long have you been employed at Textron, Inc.?

24 A. Since 1977.

1 A. No, sir. I've been an --

2 Q. Did I state that correctly?

3 A. I've been an assistant secretary of Textron,
4 Inc. since 1985.

5 Q. Okay. I'm just still unclear as to what the change
6 was in December of 2009. Would you clarify that
7 for me?

8 A. I left the Legal Department and no longer
9 reported to the deputy general counsel in legal. I
10 now report to the corporate secretary directly and
11 assist him with corporate governance matters
12 involving the Textron, Inc. board of directors and
13 its board committees.

14 Q. Understood. Who is your immediate supervisor that
15 you refer to currently?

16 A. Terrence O'Donnell, O-d-o-n-n-e-l-l.

17 Q. And who was your immediate supervisor while were in
18 the Legal Department?

19 A. Arnold Friedman, F-r-i-e-d-m-a-n.

20 Q. And is Mr. Friedman an employee of Textron, Inc., I
21 assume?

22 A. Yes, he is.

23 Q. And I understand Mr. O'Donnell, is he the secretary
24 of Textron?

1 A. He is the corporate secretary.
 2 Q. In your capacity as an assistant -- let me rephrase
 3 that. I'm sorry.
 4 In your capacity as an assistant secretary at
 5 Textron, does that authorize you to act on behalf
 6 of its subsidiaries?
 7 MS. SLAVIN: Object to the form.
 8 You may answer.
 9 A. Being an assistant secretary of Textron
 10 authorizes me to act on behalf of Textron, Inc.
 11 Q. Therefore, your position as an assistant secretary
 12 at Textron does not authorize you to act on behalf
 13 of subsidiaries such as Avco. Did I state that --
 14 is that an accurate statement?
 15 A. That is correct.
 16 Q. Okay. And was that true while you reported to the
 17 Legal Department?
 18 MS. SLAVIN: I'm just going to
 19 object to the form, Brad, because --
 20 MR. STOLL: Sure.
 21 MS. SLAVIN: -- she reported to the
 22 Legal Department for a long time. So do you mean
 23 at the --
 24 MR. STOLL: I understand.

10

1 MS. SLAVIN: Do you mean at the
 2 time -- at any time point during her tenure or
 3 when she left?
 4 MR. STOLL: I understand the
 5 objection.
 6 Q. Miss Willaman, I apologize.
 7 A. That's all right.
 8 Q. I do not know much of your background other than
 9 what you've told me. And in my head so far, the
 10 December of 2009 point marks a changing point in
 11 your career where you've reported to Mr. O'Donnell.
 12 And when I say reported to, I mean that's your --
 13 your boss is Mr. O'Donnell. And before 2009, your
 14 boss was Mr. Friedman. And my question about
 15 whether or not you were authorized to act on behalf
 16 of subsidiaries was current today your position as
 17 assistant secretary underneath Mr. O'Donnell.
 18 And then the next question is was that
 19 different while you were reporting to Mr. Friedman?
 20 Were you authorized to act on behalf of Textron
 21 subsidiaries while Mr. Friedman was your superior?
 22 MS. SLAVIN: Object to the form,
 23 but you can answer.
 24 A. I've been an assistant secretary of

1 Textron, Inc. since 1985. So I was reporting to
 2 Mr. Friedman at that time through the end of 2009.
 3 I am still an assistant secretary and have reported
 4 to Mr. O'Donnell since January 1 of 2010. Being an
 5 assistant secretary of Textron, Inc. authorizes me
 6 to act on behalf of Textron, Inc.
 7 Q. Understand, thank you.
 8 Have you ever been employed by Avco?
 9 A. No, I have not.
 10 Q. Have you ever acted as an assistant secretary to
 11 Avco?
 12 A. Yes, I have.
 13 Q. Is an assistant secretary not necessarily an
 14 employee? Are we not using that word correctly?
 15 MS. SLAVIN: Object to the form.
 16 A. I am not an employee of Avco Corporation and I
 17 have not been an employee of Avco Corporation. I
 18 am an elected assistant secretary of that
 19 corporation.
 20 Q. Okay. So as an elected assistant secretary of
 21 Avco, that does not deem you to be an employee of
 22 Avco. Have I stated that accurately?
 23 A. That is correct.
 24 Q. Okay. What are your duties -- are you currently an

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1 elected assistant secretary of Avco?
 2 A. Yes, I am.
 3 Q. I would like to start first with your position as
 4 an assistant secretary with Textron. Would you be
 5 kind enough to describe your job duties at Textron?
 6 A. My current job duties at Textron, Inc. include
 7 assisting the corporate secretary with governance
 8 matters involving the Textron, Inc. board of
 9 directors and the committees of the board of
 10 directors, and I also assist the company secretary
 11 with other corporate governance matters, including
 12 filings with the Securities and Exchange
 13 Commission. In addition to those responsibilities,
 14 I also am charged with providing oversight in
 15 corporate governance area to Textron's various
 16 subsidiary corporations.
 17 Q. As an assistant secretary at Avco Corporation,
 18 would you be kind enough to describe your job
 19 duties there?
 20 A. Certainly. I assist the company secretary of
 21 Avco Corporation with the drafting of board and
 22 shareholder minutes, holding meetings, making
 23 regulatory filings as required with secretaries of
 24 state, making sure that the company is properly

1 qualified in the jurisdictions where it conducts
 2 business and administrative corporate governance
 3 matters of that ilk.
 4 Q. Is the position of assistant secretary, is that an
 5 officer position?
 6 A. Yes, sir, it is. It's an assistant officer
 7 set forth in the bylaws.
 8 Q. Are there any other Textron officers who are also
 9 officers of Avco Corporation?
 10 A. There are several assistant officers of
 11 Textron, Inc. who are also assistant officers of
 12 Avco Corporation.
 13 Q. And is that current? Are you responding to me
 14 current as of today?
 15 A. Yes, sir.
 16 Q. Okay. Would you be kind enough to name those
 17 individuals and their positions for me?
 18 A. Certainly. Andrew Spacone, S-p-a-c-o-n-e, is
 19 an assistant secretary of Textron, Inc. and also an
 20 assistant secretary of Avco Corporation.
 21 Christopher Johnson, J-o-h-n-s-o-n, is an assistant
 22 treasurer of Textron, Inc. and is an assistant
 23 treasurer of Avco Corporation. Patricia Elmer,
 24 E-l-m-e-r, is an assistant treasurer of

1 Textron, Inc. and is also an assistant treasurer of
 2 Avco Corporation. And from memory, I think those
 3 are the three.
 4 Q. Okay. Carl Buzawa, is he also -- excuse me. Do
 5 you who Carl Buzawa is?
 6 A. Yes, I do.
 7 Q. I may not be saying -- I may not be pronouncing the
 8 name right. If I did not, I apologize to
 9 Mr. Buzawa. Who is Mr. Buzawa?
 10 A. Mr. Buzawa is a member of the legal staff of
 11 Textron Systems Corporation.
 12 Q. Is he also an officer or member of Textron, Inc. in
 13 any capacity?
 14 A. No, he is not.
 15 Q. Christopher Johnson, do you know who Mr. Johnson
 16 is?
 17 A. Yes, I do.
 18 Q. Would you be kind enough to tell me what his role
 19 is in either Textron Systems, Avco or
 20 Textron, Inc.?
 21 MS. SLAVIN: Object to the form.
 22 You may answer.
 23 Q. Yeah, you can answer. Let me -- I'll rephrase the
 24 question. Who is Mr. Johnson?

1 A. Chris Johnson is an assistant treasurer of
 2 Textron, Inc. He is in our Risk Finance Group.
 3 And he is also an assistant treasurer of Avco
 4 Corporation, and he is also an assistant treasurer
 5 of other subsidiary corporations.
 6 Q. Do those -- would one of those other subsidiary
 7 corporations, is that Textron Systems?
 8 MS. SLAVIN: I'm going to object to
 9 the form. We also haven't established -- a
 10 subsidiary corporation of whom? Textron, Inc.?
 11 Because you haven't established --
 12 MR. STOLL: Yes.
 13 MS. SLAVIN: -- you haven't
 14 established corporate function in that regard.
 15 MR. STOLL: I don't understand.
 16 Q. Textron Systems is a subsidiary of Avco, am I
 17 correct, Miss Willaman?
 18 A. Yes. That is correct.
 19 MS. SLAVIN: And so I didn't --
 20 Q. -- subsidiary?
 21 MS. SLAVIN: I'm sorry. I didn't
 22 mean to interrupt you. Would you repeat the
 23 question?
 24 MR. STOLL: That's okay.

1 MS. SLAVIN: I just want to make
 2 sure I understand what you're asking, Brad. So do
 3 you mind repeating the question?
 4 MR. STOLL: I understand. I forgot
 5 the question. Let me start over.
 6 Q. You mentioned that Mr. Johnson was also an
 7 assistant secretary for other Textron, Inc.
 8 subsidiaries. Did I repeat -- state that
 9 accurately?
 10 A. That is correct.
 11 Q. Okay. Is one of those subsidiaries to whom
 12 Mr. Johnson is an assistant treasurer, is that
 13 Textron Systems?
 14 MS. SLAVIN: I'm going to object to
 15 the form because Textron Systems is not a
 16 subsidiary of Textron, Inc.
 17 Q. Does Mr. Johnson have a role at Textron Systems?
 18 A. He is an employee of Textron, Inc. in the Risk
 19 Finance Group and he oversees matters that require
 20 him to execute certain documents on behalf of other
 21 subsidiary corporations besides Textron, Inc.
 22 Q. Is he an assistant treasurer of Textron Systems?
 23 A. He is an assistant treasurer of Textron
 24 Systems Corporation, yes.

17

1 Q. All right. That was the question I was trying to
 2 get to, and I apologize it took so long to get
 3 there.
 4 The next individual I have a question about is
 5 Mr. Ian Walsh. Would you be kind enough to tell me
 6 who Mr. Walsh is?
 7 A. Mr. Walsh is a corporate officer of Textron
 8 Systems Corporation and is an employee of Textron
 9 Systems Corporation.
 10 Q. Is Mr. Walsh an employee of Textron, Inc.?
 11 A. No, sir.
 12 Q. Is he an assistant treasurer of Textron, Inc.?
 13 A. No, sir.
 14 Q. Is he an officer in any capacity at Textron, Inc.?
 15 A. No, sir.
 16 Q. Is he -- does he have any other responsibilities to
 17 any other Textron, Inc. subsidiary besides Avco
 18 Systems, Textron Systems?
 19 MS. SLAVIN: I'm going to object to
 20 the form. And that question, Brad, is as of
 21 August 26, 2010?
 22 MR. STOLL: Yeah. That's today,
 23 correct. Yeah.
 24 MS. SLAVIN: Okay.

18

1 A. Mr. Walsh is an officer of Avco Corporation,
 2 he is an officer of Textron Systems Corporation,
 3 and he is an officer of several other subsidiaries
 4 of Avco Corporation.
 5 Q. Okay. And these questions are current. The time
 6 period is 8/26/2010. I will reask a lot of these
 7 questions for different time periods, but for now
 8 as we go through these lists, the time period is
 9 now.
 10 You mentioned Miss Elmer. She is an assistant
 11 treasurer at Textron, am I correct?
 12 A. She is an assistant treasurer of
 13 Textron, Inc., that is correct.
 14 Q. Is she also an assistant treasurer of Avco
 15 Corporation?
 16 A. Yes, she is.
 17 Q. Is she also an assistant treasurer at Textron
 18 Systems?
 19 A. She is an assistant treasurer at Textron
 20 Systems Corporation, yes.
 21 Q. Would you be kind enough to tell me who Richard
 22 Millman is?
 23 A. Richard Millman is a retired employee. He was
 24 formerly the president of Textron Systems and then

19

1 he became the president of Bell Helicopter and
 2 retired probably about a year or so ago.
 3 Q. Okay. When Mr. Millman retired, does he no longer
 4 have any obligations, employment obligations, to
 5 Textron Systems or Bell Helicopter; is that
 6 accurate?
 7 MS. SLAVIN: Object to the form.
 8 A. I don't know if he has any further obligations
 9 with the company, either company.
 10 Q. Okay.
 11 A. But he is a retiree.
 12 Q. As a retiree, does that mean he no longer holds
 13 those positions?
 14 A. That is correct. He is no longer an officer
 15 of either company.
 16 Q. Okay. Robert Hemstreet, would you be kind enough
 17 to tell me who is he?
 18 A. Mr. Hemstreet is also a former employee of
 19 Textron, Inc. He was an assistant treasurer, and
 20 he left the company probably about two or three
 21 years ago.
 22 Q. Was Mr. Hemstreet also an assistant treasurer of
 23 Avco?
 24 A. Yes, he was.

20

1 Q. Was he also an assistant treasurer of Textron
 2 Systems?
 3 A. Yes, he was.
 4 Q. Would you be kind enough to tell me who Robert
 5 Tobias is?
 6 A. Mr. Tobias was an assistant controller of
 7 Textron, Inc. He left the company, again, I would
 8 say two or three years ago.
 9 Q. Did he also hold a position for Avco Corporation?
 10 A. Yes, he did.
 11 Q. Do you recall what that position is -- was?
 12 A. I'm sorry. I don't recall.
 13 Q. Was it an officer position?
 14 A. Yes, it was, I do recall that, but I'm not
 15 sure which officer position he held.
 16 Q. Understood.
 17 Would you be kind enough to tell me who Thomas
 18 Fredericks is?
 19 A. Mr. Fredericks is a former assistant treasurer
 20 of Textron, Inc. He left the company three or four
 21 years ago.
 22 Q. Was Mr. Fredericks also an assistant treasurer of
 23 Avco?
 24 A. He was an officer of Avco. I'm afraid I don't

1 remember his exact title.
 2 Q. Was he also an officer of Textron Systems?
 3 A. He was also an officer of Textron Systems
 4 Corporation.
 5 Q. Mr. Kemp. I don't have a first name for Mr. Kemp,
 6 I apologize to him if he reads this transcript, but
 7 can you identify who Mr. Kemp is?
 8 A. It's Robert Kemp, and he is the general
 9 counsel of Textron Systems Corporation.
 10 Q. Does he hold any positions at Textron, Inc.?
 11 A. No, he does not.
 12 Q. Does he hold any positions at Avco Corporation
 13 aside from the subsidiary, Textron Systems?
 14 MS. SLAVIN: Object to the form.
 15 A. He is a secretary of Textron Systems
 16 Corporation and also the treasurer and he is a
 17 member of the board of directors.
 18 Q. Okay. Would you be kind enough to tell me who
 19 Arnold Friedman is?
 20 A. Mr. Friedman is vice-president and deputy
 21 general counsel of Textron, Inc.
 22 Q. Does Mr. Friedman hold any positions at Avco
 23 Corporation?
 24 A. No, he does not.

1 Q. Does Mr. Friedman hold any positions at any of the
 2 subsidiaries of Avco Corporation?
 3 A. Yes. He is a vice-president of Textron
 4 Systems Corporation and he is also a vice-president
 5 of several other Avco Corporation subsidiaries.
 6 Q. Mr. David Roy, would be kind enough to tell me who
 7 Mr. Roy is?
 8 A. I'm afraid I don't recognize that name.
 9 Q. Do you recognize the name Ellen Lord?
 10 THE REPORTER: I'm sorry. Ellen?
 11 A. Lord?
 12 Q. Yes, ma'am. L-o-r-d.
 13 A. Yes. Miss Lord is the general manager of the
 14 AAI subsidiary.
 15 Q. Is AAI a subsidiary of Textron, Inc.?
 16 A. It's a subsidiary of Avco Corporation.
 17 Q. Does Miss Lord hold any positions at Textron, Inc.?
 18 A. No, she does not.
 19 Q. Do you know who Mr. Jeffrey Copeland is?
 20 A. Mr. Copeland is an officer of Avco
 21 Corporation. He's an employee of the Lycoming
 22 business unit.
 23 Q. Does Mr. Copeland have any position at Textron,
 24 Inc.?

1 A. No, sir, he does not.
 2 Q. John Condon (phonetic), would you be kind enough to
 3 tell me who Mr. Condon is?
 4 A. Mr. Condon is a retired Textron Systems
 5 Corporation employee. He was their chief financial
 6 officer. He retired at year end. He was also a
 7 director of Textron Systems Corporation.
 8 Q. Did Mr. Condon hold any positions at Textron, Inc.?
 9 A. No, sir, he did not. He does not.
 10 Q. Do you know Miss Lesley Hamlin?
 11 A. Yes. Miss Hamlin is a former Textron Systems
 12 Corporation employee. She was a lawyer, and my
 13 recollection is that she was an assistant secretary
 14 of Textron Systems Corporation. She has not been
 15 employed by the company for two, three years.
 16 Q. Does she hold any positions at Textron, Inc.?
 17 A. No, she did not.
 18 Q. Mr. Mark Catizone. Do you know Mr. Mark Catizone?
 19 A. Mr. Catizone is an employee of Textron Systems
 20 Corporation.
 21 Q. Does Mr. Catizone hold any positions at
 22 Textron, Inc.?
 23 A. No, sir.
 24 Q. Do you know Mr. Mark Lovejoy?

1 A. I don't know a Mark Lovejoy, no.
 2 Q. Norman Richter?
 3 A. Mr. Richter was the vice-president, Taxes of
 4 Textron, Inc. He left the company at year end,
 5 2009.
 6 Q. I'm sorry. Did you say vice-president of
 7 Textron, Inc. or was there something in between
 8 there?
 9 A. He was vice-president, Taxes, t-a-x-e-s, of
 10 Textron, Inc.
 11 Q. Thank you.
 12 A. Hm-mmm.
 13 Q. Did Mr. Richter hold any positions with Avco
 14 Corporation?
 15 A. No, he did not.
 16 Q. Did he hold any positions with any of Avco
 17 Corporation subsidiaries?
 18 A. He was a vice-president of Textron Systems
 19 Corporation.
 20 Q. Mr. Robert Buckley, would you be kind enough to
 21 tell me who Mr. Robert Buckley is?
 22 A. I'm not recalling Mr. Buckley.
 23 Q. Okay. Do you recall a Mr. Rodney Willis?
 24 A. Mr. Willis was a former Textron Systems

1 Corporation employee. I believe he left the
2 company a year or so ago.
3 Q. Did Mr. Willis hold any positions at Textron, Inc.?
4 A. No, sir.
5 Q. Mr. Stephen Schultz, do you know who Mr. Stephen
6 Schultz is?
7 A. I'm not recalling Mr. Schultz.
8 Q. Mr. Thomas McNamara, do you recall who Mr. McNamara
9 is?
10 A. Mr. McNamara is an officer of Textron Systems
11 Corporation.
12 Q. Is Mr. McNamara also an officer of Textron, Inc.?
13 A. No, sir.
14 Q. Okay. Mr. Christopher Johnson, how long has
15 Mr. Christopher Johnson been an assistant treasurer
16 at Textron, Inc., Avco Corp., Textron Systems?
17 MS. SLAVIN: I'm going to object to
18 the form. Do you mean for each or do you mean all
19 at the same time or something else?
20 Q. Well, let's start with Textron, Inc. first.
21 A. I don't have the exact number of years that he
22 has been with Textron or an assistant treasurer.
23 It would be probably approximately four or five.
24 Q. Do you know how long he was assistant treasurer for

1 Avco?
2 A. About the same amount of time.
3 Q. As well as my next question for the assistant
4 treasurer at Textron Systems?
5 A. Again, about the same amount of time.
6 Q. Have any Textron employees or officers also held
7 the position of vice-president of Avco?
8 MS. SLAVIN: At what point in time?
9 Q. I'm going to ask for your recollection,
10 Miss Willaman. I don't want to put a timeframe on
11 it.
12 Do you recall any instance where an employee
13 or officer of Textron, Inc. also served as the
14 vice-president of Avco Corporation?
15 A. Yes, sir.
16 Q. Okay. Would you explain to me why you gave an
17 affirmative answer to that question?
18 A. When Textron originally acquired Avco
19 Corporation back in 1985, Avco Corporation was a
20 smaller version of a Textron, Inc. It had a
21 corporate headquarters, it had business units,
22 subsidiaries and the like. And when we acquired
23 it, many of the Avco Corporation senior officers
24 came to Providence and also were officers of

1 Textron, Inc. Certain members of the Avco board
2 joined the Textron board. And for a certain amount
3 of time while those people were still here, they
4 had titles of vice-president or executive
5 vice-president of Textron, Inc. and they also were
6 officers of Avco Corporation.
7 Q. Are you able to put a timeframe on that scenario
8 which you just explained for me?
9 A. That's -- it has evolved over time, and I
10 would say, you know, over the -- there aren't any
11 vice-presidents of Textron, Inc. who are
12 vice-presidents of Avco. That's been for, I would
13 say, four, five, six years. It's been a while.
14 Q. Okay. Just so the record's clear, the way that you
15 phrased that last statement was a little bit
16 different, and I just think -- I don't think it was
17 intentional or anything. Let me rephrase the
18 question.
19 A. Okay.
20 Q. Are there any employees in the past -- let's begin
21 with the year 2000. Since the year 2000, have
22 there been any Textron employees who also held the
23 position of vice-president of Avco Corporation?
24 A. I would have to go back to the minute book and

1 check that. I just don't have the recall sitting
2 here to be able to tell you that exact time period.
3 Q. I understand. Are you able to tell me currently
4 today, is any employee or officer of Textron, Inc.
5 also holding the position of vice-president of
6 Avco?
7 A. I do.
8 Q. You do?
9 A. Yes, sir.
10 Q. Okay. Before you -- when did you obtain that
11 position?
12 MS. SLAVIN: Which position?
13 Vice-president of Avco?
14 MR. STOLL: I'm sorry. What --
15 yes, ma'am.
16 A. Vice-president of Avco Corporation? Again, I
17 would have to check the minute book for the exact
18 date. It has been a number of years that I've held
19 that.
20 Q. Is there only one? I'm sorry.
21 A. Currently, I am the only Textron, Inc.
22 employee who holds the title of vice-president of
23 Avco Corporation.
24 Q. Is there only one vice-president of Avco

1 Corporation?
 2 A. No, sir. There are numerous vice-presidents.
 3 Q. Numerous in my mind is a lot. Would you nail it
 4 down a little bit better?
 5 A. I think there are probably maybe five, six.
 6 Q. Of those five or six vice-presidents of Avco, do
 7 any of those individuals also hold employment with
 8 Textron, Inc.?
 9 A. No, sir.
 10 Q. Okay. Can you identify any other Textron employees
 11 who at one point also held the role of
 12 vice-president of Avco Corporation?
 13 MS. SLAVIN: I'm going to object to
 14 the form and we're covering a 25-year period, but
 15 you can answer.
 16 A. Current Textron, Inc. employees?
 17 Q. No, ma'am. To your recollection, other than
 18 yourself, has there ever been an instance where a
 19 Textron employee also held the role of one of the
 20 vice-presidents of Avco Corporation?
 21 A. Yes.
 22 Q. Is it more than one individual?
 23 A. Yes.
 24 Q. Are you able to name them for me?

1 A. That's a long time to go back. I can name
 2 some that I know have held the position. They no
 3 longer do. Some of them are no longer employed by
 4 the company, but...
 5 Q. I think the way that -- I think the way that I
 6 would like to do this is if you can, I can only ask
 7 you for your recollection, and if you could
 8 recollect by saying the person's name and their job
 9 at Textron and the position they held at Avco, I
 10 think that might be the easiest for the record to
 11 be clear, if you don't mind.
 12 A. Mr. Friedman was a vice-president of Avco
 13 Corporation.
 14 Q. While he was vice -- I'm sorry to interrupt, but
 15 while he was vice-president of Avco, what was his
 16 correlating role at Textron, Inc.?
 17 A. He was a vice-president of Textron, Inc.
 18 Q. Okay. You may continue identifying those
 19 individuals who you recall.
 20 A. Mr. Richter, R-i-c-h-t-e-r, Norman was an
 21 officer of Textron, Inc. and Avco Corporation. He
 22 was vice-president of Taxes, Textron, Inc.
 23 Q. What was his position at Avco?
 24 A. Vice-president, Taxes.

1 Q. Okay.
 2 A. Mary Lovejoy, L-o-v-e-j-o-y, Mary, M-a-r-y.
 3 Q. I had Mark before. I think it's Mary.
 4 A. Oh, okay. Then I -- she was -- she is
 5 vice-president and treasurer of Textron, Inc. She
 6 was a vice-president of Avco Corporation. These
 7 are recent folks that I can recall.
 8 Q. Is there anybody else that you can recall?
 9 A. Back in the '80s when we acquired the company,
 10 individuals like Gary Atwell who was an officer of
 11 Textron, Inc. and also an officer of Avco
 12 Corporation. Robert Bauman, B-a-u-m-a-n, who was
 13 the former chairman of Avco was also an officer of
 14 Textron, Inc. Dennis Little was the chief
 15 financial officer of Avco Corporation, was also an
 16 officer of Textron, Inc. I'm exhausting my memory
 17 here.
 18 Q. I know. How about, and I apologize since he's
 19 sitting right there at the table to refer to him in
 20 the third person, Mr. Spacone, was he also a
 21 vice-president of Avco while holding a role at
 22 Textron, Inc.?
 23 A. I believe he was a vice-president of Avco
 24 Corporation as well as an assistant secretary, and

1 he was an assistant secretary of Textron, Inc. --
 2 is, excuse me.
 3 Q. I don't want to jog your memory too much, but we've
 4 established the current list and some of the prior
 5 ones. I'd like to focus in on the 2007 time
 6 period. We're here in a case involving an accident
 7 that occurred around 2007.
 8 A. Okay.
 9 Q. And are you able to recall the roles of the
 10 individuals who we just mentioned at that time
 11 period?
 12 MS. SLAVIN: Which individuals?
 13 Q. Well, that would be the list of people who I've
 14 gone through. And I can go through them one by one
 15 asking the questions 2007 if that would make you
 16 feel less uncomfortable, if you will.
 17 Let me do it that way. Christopher Johnson,
 18 well, we already did Mr. Johnson.
 19 Frank Tempesta, what were his roles in Avco
 20 and Textron at or around 2007?
 21 A. Mr. Tempesta was the president of Textron
 22 Systems Corporation. He was also a member of its
 23 board of directors. And he was also president of
 24 Avco Corporation and a member of its board of

1 directors.

2 Q. In 2007, Mr. Tempesta did not have a role at

3 Textron. Did I state that accurate?

4 A. He was not an officer of Textron, Inc., no.

5 Q. How about this. In 2007, can you identify the

6 individuals who were officers of Textron, Inc. as

7 well as Avco Corporation?

8 A. Again, I would have to check the minute book

9 to give you an answer. I don't -- I'm unable to

10 keep track of who was an officer for specific

11 periods of time.

12 Q. Let me just from my notes some of people who we did

13 identify having those roles at Textron and Avco,

14 just allow me to ask the question for 2007.

15 A. Okay.

16 Q. Mr. Hemstreet, do you recall his roles at or around

17 2007?

18 A. I'm trying to recall when he left the company.

19 It was around 2007 or 2008. I'm not sure. Just

20 before he left the company, he was an assistant

21 treasurer of Textron, Inc. and he was also an

22 assistant treasurer of Avco Corporation. I just

23 don't recall the exact year in which he left the

24 company.

1 Q. Okay. Mr. Tobias, I believe my notes say he was

2 assistant controller of Textron, Inc. and an

3 officer at Avco you didn't recall. Was that so in

4 2007?

5 A. Again, that was about the time that he left,

6 but his roles were as you have stated them. He was

7 an assistant controller of Textron, Inc. and he was

8 an Avco Corporation officer. I just don't happen

9 to recall what his title was.

10 Q. Okay.

11 A. But he also --

12 Q. That would be accurate at around --

13 A. He also left at around that 2007 period.

14 Q. Okay. Mr. Fredericks, I have him as an assistant

15 treasurer of Textron, Inc. and an officer of Avco

16 and Textron Systems. Was that accurate at or

17 around 2007?

18 A. I think he left slightly earlier than that,

19 but his final -- before he left, his role at

20 Textron was an assistant treasurer of Textron, Inc.

21 and he was also an assistant treasurer of Avco

22 Corporation, I believe.

23 Q. Let me ask this question. Does Timothy Harrington

24 have a position at Textron, Inc.?

1 A. No, he does not.

2 Q. Okay. Can you tell me how many -- if Mr. Friedman

3 held the position of vice-president of Avco and

4 vice-president of Textron, what years did he hold

5 those two positions?

6 MS. SLAVIN: Object to the form.

7 A. I recall that he was elected a vice-president

8 of Avco at the time we acquired Avco Corporation in

9 1985, and I do not recall when he left that officer

10 position.

11 Q. Do you recall when he was vice-president of -- was

12 he vice-president of Textron at that time, as well?

13 A. Yes.

14 Q. Okay. Is Mr. Friedman still employed or is he

15 retired?

16 A. He is still employed.

17 Q. Does he currently hold those positions,

18 vice-president of Avco and Textron?

19 A. He is a vice-president and the deputy general

20 counsel for Textron, Inc. He does not hold an

21 office currently with Avco Corporation.

22 Q. Okay. And do you recall when Mr. Friedman left his

23 role at Avco?

24 A. I do not recall when he left the role. I'm

1 sorry.

2 Q. Okay. I believe Mr. Condon was the CFO of Textron

3 Systems and a director at Textron, Inc.; is that

4 accurate?

5 A. No, that is not accurate. He was the chief

6 financial officer for Textron Systems Corporation

7 and was a director of Textron Systems Corporation.

8 Q. Okay. My notes are wrong then.

9 Miss Hamlin, Lesley Hamlin, I have her as a

10 former Textron Systems employee and assistant

11 secretary at Textron, Inc.; is that accurate?

12 A. No, sir, it is not. She was an assistant

13 secretary of Textron Systems Corporation.

14 Q. I apologize. I tried to do this the best I could.

15 How about Mr. Richter, I believe was he also

16 an officer of Textron and an officer of Avco in

17 2007?

18 A. He was an officer of Textron, Inc. in 2007. I

19 do not recall if he was still an officer of Avco

20 Corporation in 2007.

21 Q. Miss Willaman, have you ever been employed as an

22 employee or officer at Textron Systems?

23 A. I have never been employed by Textron Systems

24 Corporation. I am an elected officer of Textron

1 Systems Corporation.
 2 Q. And what is that -- what position is that for?
 3 A. Assistant secretary of Textron Systems
 4 Corporation.
 5 Q. Are there any other Textron employees currently
 6 holding elected positions for Textron Systems?
 7 A. Yes. There are a number of Textron, Inc.
 8 employees who are officers of Textron Systems
 9 Corporation.
 10 Q. Can you tell me how many, what that number is?
 11 A. I believe it will be six, six or seven.
 12 Q. And I have the same question for Avco Corporation.
 13 I apologize if I've asked it before, but are there
 14 any -- currently, are there -- how many officers,
 15 elected positions for Avco Corporation -- let me
 16 rephrase that since I stuttered.
 17 How many employees of Textron, Inc. also hold
 18 elected positions at Avco Corporation?
 19 MS. SLAVIN: And the question is as
 20 of August 26, 2010?
 21 MR. STOLL: Currently, yes.
 22 A. I think there are six.
 23 Q. Could you name them for me, please?
 24 A. Mark Bamford, B-a-m-f-o-r-d, Patricia Elmer,

1 E-l-m-e-r, Christopher Johnson, J-o-h-n-s-o-n,
 2 James Cournoyer, C-o-u-r-n-o-y-e-r. Did I say
 3 Mr. Johnson, Christopher Johnson?
 4 Q. Yes, ma'am.
 5 A. I am also a Textron, Inc. employee and an
 6 officer of Avco Corporation. I think I'm missing
 7 one. And Mr. Spacone.
 8 Q. Are there certain meetings that are required of
 9 Avco as a corporation, yearly annual meetings of
 10 officers and directors?
 11 A. Yes.
 12 Q. Okay. And are the people that you named just now,
 13 Mr. Bamford, Spacone, Miss Elmer, Mr. Johnson,
 14 Cournoyer and yourself, do you all attend those
 15 meetings?
 16 A. Avco Corporation does not always have meetings
 17 in person. The directors, pursuant to Delaware
 18 law, are permitted to act by unanimous consent,
 19 unanimous written consent in lieu of a meeting and
 20 also in lieu of an annual meeting.
 21 Q. Is that the practice at Avco is to operate under
 22 that provision of Delaware law --
 23 A. Generally, yes.
 24 Q. -- for meetings?

1 A. Yes.
 2 Q. Okay. How many other directors of Avco Corporation
 3 are there that we have not listed?
 4 A. There are three directors of Avco Corporation,
 5 Mr. Kemp, Mr. Sullivan, Robert Sullivan, and
 6 Mr. Strader, Frederick Strader. That's
 7 S-t-r-a-d-e-r.
 8 Q. Thank you. So all together, there are currently
 9 nine directors of Avco --
 10 MS. SLAVIN: Objection.
 11 Q. -- is that correct?
 12 MS. SLAVIN: I think you're
 13 misunderstanding the distinction between officers
 14 and directors. So I'm going to object.
 15 Q. What is the distinction between officers and
 16 directors that I am stating incorrectly, ma'am?
 17 A. There are three directors of Avco Corporation.
 18 Q. Okay.
 19 A. Mr. Sullivan, Mr. Kemp, and Mr. Strader.
 20 Q. Okay. And the individuals before, the six who we
 21 have listed, they are officers?
 22 A. They are assistant officers of Avco
 23 Corporation, yes.
 24 Q. Understood.

1 I've sent a stack of documents. I promise you
 2 we won't go through every page. It's more or less
 3 better to be prepared than not to.
 4 I've asked the court reporter to mark your
 5 affidavit without the caption as Exhibit 1.
 6 A. Yes.
 7 Q. And, Miss Willaman, I'm going to ask the obvious,
 8 but would you be kind enough to identify what that
 9 document is?
 10 A. It is an affidavit that I signed before a
 11 notary on February 9 of 2010 in connection with
 12 this matter.
 13 Q. Okay. I noticed there's no caption for this
 14 affidavit, and sometimes we lawyers put captions on
 15 these if they pertain to a particular matter. But
 16 with that preface, do you know is this affidavit
 17 used in other forums, as well?
 18 MS. SLAVIN: Object to the form.
 19 A. I have been called upon to give affidavits
 20 which cover many of these same statements before.
 21 Q. Okay. But this particular affidavit was used in
 22 this case. I think we can all agree on that. And
 23 my question to you is do you have any personal
 24 knowledge as to whether or not this affidavit,

1 Exhibit 1, has been used in any other cases?
 2 A. No, sir, I don't.
 3 Q. Okay. Did you draft this affidavit?
 4 A. Yes, sir.
 5 Q. Okay. Did anybody aid you in drafting this
 6 affidavit?
 7 MS. SLAVIN: Object to the form.
 8 A. I drafted the affidavit and because
 9 Textron, Inc. is a defendant in the litigation and
 10 Mr. Spacone is Textron's counsel, I did ask him to
 11 review it and get his legal advice on it, but
 12 these -- I'd have drafted this and these are --
 13 this is my knowledge.
 14 Q. Okay. And if we look at what's been marked as
 15 Exhibit 2 which is another affidavit that I've
 16 received that you've executed, it's slightly
 17 different. This one has a caption. This one
 18 predates Exhibit 1 by approximately a month or so
 19 if I've gotten my dates correct. I have a notary
 20 of January 12, 2010, for Exhibit 2.
 21 A. Hm-mmm.
 22 Q. And a notary of February 9, 2010 for Exhibit 1.
 23 Is it accurate that some of the information
 24 contained on Exhibit 1 is derived from Exhibit 2?

1 MS. SLAVIN: I'm going to object to
 2 the form of that question.
 3 And, Brad, I'm just going to put this on the
 4 record. Judge Abramson's August 20, 2010, order
 5 limited Miss Willaman's deposition to the
 6 affidavit marked as Exhibit 1. I've reviewed
 7 Exhibit 2 which is from the Johnson case that was
 8 pending in the United States District Court for
 9 the Eastern District of Missouri. To the extent
 10 that a lot of the statements in Exhibit 1 are
 11 similar to Exhibit 2, I'm going to give you some
 12 leeway, but I just don't want us to go crazy here.
 13 I think it's fair to ask her about the preparation
 14 of Exhibit 1. I don't have difficulty if you
 15 don't get carried away asking her about Exhibit 2,
 16 but I am going to have a problem if we go further
 17 into matters that are beyond the scope of Judge
 18 Abramson's order.
 19 You're free to ask her whatever you want, her
 20 being the witness, about Exhibit 1 in detail. And
 21 I've given you a lot of leeway, even though a lot
 22 of the questions that you've asked in the past
 23 hour I think are beyond the scope of Exhibit 1,
 24 but, again, I'm giving you leeway. So I just

1 don't want us to go crazy here.
 2 And with that objection, I'm going to allow
 3 the witness to answer, although she probably
 4 doesn't remember what the question is at this
 5 point.
 6 A. If you could please repeat the question.
 7 Q. That's okay. You know, Miss Willaman, since
 8 Miss Slavin has put her position on the record, I
 9 feel compelled to provide mine. So if I could --
 10 if you would excuse me for a second.
 11 MR. STOLL: In response to
 12 Miss Slavin's objection, I disagree. All of the
 13 matters of which I have just discussed with
 14 Miss Willaman are relevant and within the
 15 guidelines of the court's order. The court did
 16 say that I was free to cross-examine Miss Willaman
 17 on matters contained in the affidavit and I was
 18 not bound by the four corners of it and I am sure,
 19 Miss Slavin, that you will object when you feel
 20 that I've gone beyond. And according to the Rules
 21 of Civil Procedure, it's objection to form,
 22 foundation, to withhold a privilege or if you feel
 23 that I've gone astray of the order, I'm sure you
 24 will chime in.

1 I just want to make sure that, since we are
 2 here giving testimony, that no speaking objections
 3 which, you know, invoke accusations of coaching
 4 witnesses and the like will be given, and I'm sure
 5 that we will not have that issue today since we've
 6 worked together in the past and we will go
 7 smoothly.
 8 For now, Exhibit 2 is to me obviously a point
 9 where Exhibit 1 may have generated from. So,
 10 Miss Slavin, I do intend to ask about how
 11 Exhibit 2 was generated since some of the language
 12 is strikingly similar. With that, if there's
 13 nothing else, we can go forward.
 14 MS. SLAVIN: Well, I think -- I'm
 15 sorry, Brad. I think you're making an assumption.
 16 I think you're making an assumption about Exhibits
 17 1 and 2, and I think the better course would be to
 18 find out whether the witness drafted it. And,
 19 again, this is not the Johnson case. This is the
 20 Miller case. And the judge, Judge Abramson, did
 21 say that you can cross-examine Miss Willaman on
 22 Exhibit 1.
 23 I don't know that I agree on beyond the four
 24 corners of since he subsequently entered a written

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1 order that said -- that I'm going to ask be marked
2 Exhibit 3, that says, "Plaintiffs are limited to
3 taking the deposition of Ann Willaman on her
4 affidavit," which I'm going to ask that the order
5 be marked as Exhibit 3. And I think, Brad, we can
6 go through and deal with each question in due
7 course. How about that?

8 MR. STOLL: That's fine. Before we
9 mark the order, I don't mind the order being
10 marked, but just allow me to make my record with
11 the documents that I have in a chronological, not
12 chronological, but in a logical order for me and
13 then at some time at the end, you can put your
14 order as an exhibit.

15 MS. SLAVIN: It's Judge Abramson's
16 order, not my order, but I don't care what it's
17 marked as.

18 MR. STOLL: When I say your order,
19 I mean the order in front of you is in your
20 possession. It belongs to you, your order. I
21 don't suggest that you drafted it, of course.
22 Let's continue.

23 MS. SLAVIN: I don't care what it's
24 marked as. I just want it in the record and I

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1 MS. SLAVIN: Which one?

2 MR. STOLL: I'm sorry. We're going
3 to be on Exhibit 1. I have no further questions
4 on Exhibit 2.

5 Q. Paragraph two states, "I am employed by
6 Textron, Inc. ("Textron") as Assistant Secretary.
7 I have been employed in this position for the past
8 twenty-five years and have been employed by Textron
9 for thirty-three years."

10 Could you also identify in paragraph two --
11 let me rephrase that. Could you also identify the
12 positions, all positions, that you have also held
13 on behalf of Avco Corporation?

14 MS. SLAVIN: At any period of time?

15 MR. STOLL: At any period of time
16 identified in paragraph two.

17 A. I have been an assistant secretary of Avco
18 Corporation since Textron, Inc. acquired it in
19 1985.

20 Q. Have you held any other positions with Avco?

21 A. I was also -- I am also a vice-president of
22 Avco Corporation, and I believe I was elected to
23 that title at some point later than 1985. I don't
24 recall. It's been quite a long time.

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1 want to be clear that we are not in violation of
2 the protective order that was entered by the
3 court.

4 But, yes, let's continue.

5 Q. Okay. Miss Willaman, did you draft Exhibit 2?

6 A. Yes, sir, these are my statements.

7 Q. These are your statements, but did you sit down at
8 the computer and type this yourself?

9 A. I probably typed a draft of it and then
10 whoever our counsel was for -- in this district put
11 it into the appropriate template form. I would
12 not -- excuse me. I would just not know how the
13 Eastern District of Missouri liked its affidavits
14 to appear.

15 Q. I understand, and I am not making any allegations
16 that it's improper. I am just trying to find the
17 genesis of Exhibit 1.

18 Is it -- when you drafted Exhibit 1, did you
19 cut and paste from Exhibit 2?

20 A. If the statement applies and is true, I would
21 use the same statement and have in a number of
22 affidavits.

23 Q. Going to paragraph two of your affidavit, and allow
24 me to read it.

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1 Q. Do you recall the individual who you replaced, if
2 any?

3 A. I'm not sure that I replaced anyone. There
4 might have been assistant secretaries of Avco
5 Corporation who did not come to Providence when we
6 acquired them, but I don't -- I don't know their
7 names. I'm not familiar with them.

8 Q. Does being the assistant secretary of Avco
9 authorize you to execute documents on behalf of
10 Avco?

11 A. It authorizes me to execute documents on
12 behalf of Avco Corporation, yes.

13 Q. And have you, in fact, in the past executed
14 documents on behalf of Avco?

15 A. I have executed documents on behalf of Avco
16 Corporation, yes.

17 Q. Have you executed any documents on behalf of Avco
18 in connection with litigation?

19 A. I may have offered an affidavit as an
20 assistant secretary of Avco Corporation, most
21 likely have. I don't recall, frankly. But as an
22 assistant secretary, that would be an expected
23 responsibility.

24 Q. And I assume that the same answer would apply for

1 being vice-president, that that would also
 2 authorize you to execute documents on behalf of
 3 Avco Corporation?
 4 A. Yes, it would.
 5 Q. Would that also authorize you to execute documents
 6 on behalf of Avco Corporation's operating
 7 divisions?
 8 A. Yes, it would.
 9 Q. And is it also accurate to say that any of the
 10 assistant secretaries of Avco who are also
 11 employees of Textron, Inc. have that same ability
 12 to execute documents on behalf of Avco?
 13 MS. SLAVIN: I'm going to object to
 14 the form.
 15 A. Yes, they do.
 16 Q. And is it also accurate to say that the
 17 vice-presidents of Avco who are also employees of
 18 Textron, Inc. have the ability to execute documents
 19 on behalf of Avco?
 20 A. I'm the only employee of Textron, Inc. who is
 21 a vice-president of Avco Corporation.
 22 Q. Okay. So I guess we would revert back to your
 23 original answer that you are authorized to?
 24 A. Yes, I am.

1 Q. Understood.
 2 What is the address of your employer?
 3 A. My employer is located at 40 Westminster, one
 4 word, W-e-s-t-m-i-n-s-t-e-r, Street in Providence,
 5 Rhode Island. Zip code is 02903.
 6 Q. And could you tell us is -- that's a building at
 7 that address, am I correct?
 8 A. Yes, it is.
 9 Q. And is that -- how many floors are in that
 10 building?
 11 A. There are 24 floors.
 12 Q. Do you know who that building is owned by?
 13 A. It's owned by a wholly owned subsidiary of
 14 Textron, Inc., Textron Realty Corporation.
 15 MR. STOLL: Okay. And if I may to
 16 Linda, our court reporter. In the stack of
 17 documents, I have one that has a page on it which
 18 says Exhibit 5. I would like -- we can discard
 19 the cover page, Exhibit 5, because this is
 20 obviously going to be Exhibit 3.
 21 (PLAINTIFF'S EXHIBIT 3 MARKED FOR
 22 IDENTIFICATION)
 23 MS. SLAVIN: I'm going to lodge an
 24 objection to Exhibit 3, Brad, as beyond the scope

1 of the order from Judge Abramson. I don't think
 2 there's anything in Exhibit 1 that references real
 3 property. I'm also going to note that these
 4 objections apparently -- or these documents that
 5 you have sitting in front of us here in Warwick
 6 are documents from -- they appear to be from the
 7 Johnson litigation which is obviously not this
 8 case, and it also includes an affidavit -- a
 9 declaration of Philip, with one "I," J. Ford of
 10 your office relating to Ann Willaman, and it
 11 appears that you intend to ask the witness whose
 12 deposition has been limited to the matters in her
 13 affidavit about matters from the Johnson case; is
 14 that correct?

15 MR. STOLL: Are you instructing the
 16 witness not to answer, Miss Slavin? Because I
 17 would really think that we need to get the
 18 questions on the record and, if there's an
 19 instruction not to answer, that needs to be clear
 20 so we can bring that to the court's attention.

21 MS. SLAVIN: Hm-mmm. We do need to
 22 bring it to the court's attention.

23 MR. STOLL: It's not my intention
 24 to divulge to you, it is not my desire or

1 intention to divulge to you my thought process, my
 2 thinking or my strategy with this deposition.
 3 I have a document that I have not even asked
 4 a question about. You've lodged your objection
 5 which appears to be a warning that you believe I'm
 6 going beyond the scope. Once I get there, you can
 7 instruct the witness not to answer. But before
 8 then, let's see what the question is first.

9 MS. SLAVIN: I agree, Brad, and I
 10 will do that. And I'm just putting on the record
 11 now that we have a deposition that has granted a
 12 protective order and limited Miss Willaman's
 13 deposition to her affidavit which is Exhibit 1 and
 14 your strategy is certainly clear to the extent
 15 that you've provided an affidavit from
 16 Miss Willaman in the Johnson litigation, a
 17 declaration from Mr. Ford, and a number of
 18 exhibits apparently from the Johnson case that you
 19 intend to ask this witness about, even though this
 20 is not the Johnson case and even though her
 21 deposition is limited to her affidavit.

22 So with that, we will take each question as
 23 you ask it.

24 MR. STOLL: All right. Fine. And

1 the fact that these are from the Johnson case,
 2 also the Stewart case, also the Leroy Fahrenholtz
 3 (phonetic) case and every case that we've
 4 litigated make no difference as to whether it's
 5 cross-examination of this expert, but let's just
 6 go question for question.
 7 MS. SLAVIN: Oh, no. She's not an
 8 expert, Brad. She's a fact witness as the judge
 9 pointed out at the hearing.
 10 MR. STOLL: Did I use the word
 11 expert?
 12 MS. SLAVIN: Yeah, you did.
 13 MR. STOLL: Okay. Well, then the
 14 record will stand.
 15 MS. SLAVIN: Okay.
 16 MR. STOLL: But I don't -- that's
 17 not my -- that was not my intention.
 18 MS. SLAVIN: Fair enough.
 19 Q. Now, the question, Miss Willaman, back to business.
 20 You mentioned Textron Realty Corporation as the
 21 owner of the building at 40 Westminster Avenue.
 22 Did I say that correctly?
 23 A. It's 40 Westminster Street, and Textron Realty
 24 Corporation is the owner of record of that

1 building.
 2 Q. Okay. And does Exhibit Number 3 reflect that
 3 Textron Realty Corporation is the owner of that
 4 building?
 5 MS. SLAVIN: I'm just going to
 6 lodge an objection. I'm not going to instruct her
 7 to answer on this, but I am lodging an objection
 8 to any questions on Exhibit 3 as beyond the scope
 9 of the judge's August 20 order, but you may
 10 answer.
 11 MR. STOLL: Okay.
 12 A. Textron Realty C-o-r-p-o, abbreviated, is
 13 shown here under owner information on the first
 14 page of this exhibit.
 15 Q. Okay. And what is Textron Realty Corporation?
 16 A. It's a wholly owned subsidiary of Textron,
 17 Inc., incorporated in the State of Delaware.
 18 Q. Down below, it says, "Building Information: Number
 19 of units, 92."
 20 Are you able to explain what -- I guess what
 21 I'm -- let me ask it this way. Does 40 Westminster
 22 Street only house Textron, Inc.?
 23 A. No, sir.
 24 Q. Does it only house Textron, Inc. businesses --

1 A. No, sir.
 2 Q. -- whether they're subsidiaries -- okay.
 3 Are there tenants at 40 Westminster Street
 4 that have nothing to do with Textron, Inc.?
 5 A. Yes, sir.
 6 Q. Okay. Other than restaurants and cleaning
 7 facilities and stuff like that, does that answer
 8 still stay the same?
 9 A. Yes, sir.
 10 Q. Okay. Is Avco Corporation also located at that
 11 address?
 12 A. It is not a tenant.
 13 Q. Is Avco Corporation a business subsidiary of
 14 Textron, Inc.?
 15 A. It's a wholly owned subsidiary of
 16 Textron, Inc., yes.
 17 Q. Okay. Does Avco Corporation have any employees in
 18 the State of Rhode Island?
 19 A. I don't know if Avco Corporation has any
 20 employees in the State of Rhode Island. They could
 21 have a salesperson in Rhode Island that I don't
 22 know about, but it does not have any employees in
 23 this building.
 24 Q. Okay. And, therefore, my next question would have

1 been how many offices in that building are
 2 dedicated to Avco Corporation? Can you answer that
 3 question?
 4 A. There are no offices of Avco Corporation in
 5 that building.
 6 Q. If you would, how many offices does Textron, Inc.,
 7 and I don't mean specific offices, I mean how many
 8 floors at 40 Westminster Street are used by
 9 Textron, Inc.?
 10 A. Floors 14 through 24 are used by Textron, Inc.
 11 Q. Are any of Textron subsidiaries located on floors
 12 13 and below?
 13 MS. SLAVIN: Object to the form.
 14 A. Yes. Textron Financial Corporation has
 15 several floors in the same building.
 16 Q. Any other subsidiaries that we haven't mentioned?
 17 A. Textron Innovations, Inc. has its offices at
 18 40 Westminster. It's a wholly owned subsidiary.
 19 Q. Okay. I just wanted to -- let's move on from
 20 Exhibit 2.
 21 A. Okay.
 22 MS. SLAVIN: That's Exhibit 3.
 23 MR. STOLL: Yes, you're right.
 24 You're right. That was Exhibit 3.

1 Now, there's a document in the package which
 2 I sent which has a cover page of Exhibit 2 which
 3 will be the next exhibit that I would like to
 4 speak about.
 5 MS. SLAVIN: And we're going to
 6 mark this as Exhibit 4? All right. I'm going to
 7 lodge the same objection to Exhibit 4 that I've
 8 lodged before, Brad, although, again, I think I'm
 9 going to allow the witness to answer on it. I
 10 think --
 11 MR. STOLL: And I'll lodge my same
 12 response and then we can proceed.
 13 (PLAINTIFF'S EXHIBIT 4 MARKED FOR
 14 IDENTIFICATION)
 15 Q. Miss Willaman, have you ever seen Exhibit 4 before?
 16 A. No, sir, I have not.
 17 Q. Does Exhibit 4 accurately depict the hierarchy of
 18 Textron, Inc. and its subsidiaries?
 19 MS. SLAVIN: At what point in time,
 20 Brad?
 21 MR. STOLL: 2007.
 22 A. Actually, no, it does not.
 23 Q. Okay. What have you found on Exhibit 4 which is
 24 not accurate of 2007?

1 A. By 2007, we had sold our worldwide fastening
 2 systems business. So many of the companies that
 3 are listed here were no longer part of Textron by
 4 2007. In particular --
 5 Q. Okay.
 6 A. Okay, go ahead.
 7 Q. I was only going to interject to see if you
 8 could -- I want to check them off --
 9 A. Sure.
 10 Q. -- of my list.
 11 A. Okay. On what's identified as page 30.
 12 Q. Yes.
 13 A. The last four items on the page beginning with
 14 Burkland Textron, Inc., that is no longer -- that
 15 was sold. And then the last two items on the page,
 16 Textron Fastening systems (Branch) Stanfield and
 17 Rockford, those were sold.
 18 Q. Was Tempo Research and Textron Atlantic sold, as
 19 well?
 20 A. No.
 21 Q. Okay.
 22 A. And going to what is identified as page 31,
 23 the first three items, Textron Fastening Systems
 24 branches in Sterling Heights, Logansport and Santa

1 Ana. The next one sold would be the fifth item,
 2 Textron Fastening Systems - Flexalloy, Inc.
 3 (Division), Streetsboro. The next item, the name
 4 isn't correct. It was Elko Thermoplastic, Inc.
 5 The next one, Wolverine Metal Specialties, that was
 6 sold. Detroit Heading Company was sold. The
 7 following one, Peiner Umformtechnik, it's
 8 U-m-f-o-r-m-t-e-c-h-n-i-k, and Peiner is
 9 P-e-i-n-e-r, that was sold. Textron Fastening
 10 Systems Limited was sold. Textron Fastening
 11 Systems Pty. Ltd. was sold. Textron Fastening
 12 Systems site, s-i-t-e, next word d-e, next word
 13 C-r-e-t-e-i-l, that was sold. Textron Fastening
 14 Systems site, s-i-t-e, next word d-e, Vieux Conde,
 15 V-i-e-u-x C-o-n-d-e, that was sold. The next one,
 16 I'm not a German speaker, Textron
 17 Verbindungstechnik,
 18 V-e-r-b-i-n-d-u-n-g-s-t-e-c-h-n-i-k, next word
 19 Beteteiligungs, B-e-t-e-i-l-i-g-u-n-g-s, GmbH, that
 20 was sold. And the last one on that list, Textron
 21 Verbindungstechnik,
 22 V-e-r-b-i-n-d-u-n-g-s-t-e-c-h-n-i-k, GmbH & Co.,
 23 C-o, O.H.G., that was also sold.
 24 Let me just finish looking through these.

1 Also, by 2007, page 31 at the very bottom, we had
 2 sold the Holland, H-o-l-l-a-n-d, and Berne,
 3 B-e-r-n-e, operations of Micromatic,
 4 M-i-c-r-o-m-a-t-i-c. And on page 32, the third
 5 item from the bottom, Avdel, A-v-d-e-l, K.K., that
 6 was also sold as part of the fastening systems
 7 business.
 8 Q. Okay. With the elimination of those entities,
 9 would this be an accurate depiction -- would this
 10 be an accurate snapshot of what Textron, Inc.
 11 looked like in 2007?
 12 MS. SLAVIN: I'm going to object to
 13 the form. And certainly based on the witness'
 14 testimony, that's neither accurate nor a snapshot,
 15 but the witness may answer.
 16 Q. I'm sorry.
 17 A. This doesn't --
 18 Q. Ma'am, I'm sorry. I don't want to say anything
 19 inaccurate. I thought that you had said that this
 20 document was not accurate because certain entities
 21 had been sold.
 22 A. That is correct, and it is also missing a
 23 number of entities, as well.
 24 Q. Okay. Now, would you be kind enough to tell me how

1 many -- is it a lot of entities or is it a few?
 2 A. It's missing a number of international holding
 3 companies. This list is also a mixture of
 4 subsidiaries, unincorporated operating divisions
 5 and plant locations.
 6 Q. Okay. How about this? How about --
 7 MS. SLAVIN: Brad, I don't think
 8 she was done. Are you done?
 9 THE WITNESS: Yeah, I'm finished.
 10 MS. SLAVIN: Okay. I'm sorry,
 11 Brad.
 12 Q. I'm sorry.
 13 A. That's all right.
 14 Q. Okay. How about this? Going to page 30, is the
 15 description of Avco, is that accurate?
 16 A. Well, at some point in 2007, we acquired
 17 United Industrial Corporation and AAI. That is not
 18 listed here.
 19 Q. That would be listed under Avco?
 20 A. Yes, sir. And there are, again, are some
 21 companies missing under Avco Corporation, and not
 22 all of the -- not all of the ownership as it's set
 23 out here is correct, either, for any number of
 24 these.

1 Q. Okay.
 2 A. I don't know --
 3 Q. I didn't mean to interrupt you.
 4 A. I don't know how this list was generated or
 5 what the source is, but it's also missing a fair
 6 number of subsidiaries under Textron Financial
 7 Corporation on page 32.
 8 This shows a load date at the end of page 32
 9 as of January 8 of 2007. So my comment about
 10 United Industrial Corporation, that was acquired
 11 later in that year. So, of course, it would not
 12 show up on this document. I was mistaken.
 13 Q. Okay. But it's correct that Avco Corporation --
 14 the relationship between Avco and Textron is listed
 15 properly?
 16 A. Yes, it is.
 17 Q. And the relationship between Textron Lycoming
 18 Division in relation to Avco is listed properly?
 19 A. Yes, it is.
 20 MS. SLAVIN: I'm going to object to
 21 the form. The division's name was changed in
 22 2003.
 23 Q. Yes, to Lycoming Engines. Are we on the same page,
 24 Miss Willaman?

1 A. Yes. That's correct.
 2 Q. Okay. So Textron Lycoming, if we call it Lycoming
 3 Engines, it's the same entity?
 4 A. It is the same unincorporated operating
 5 division of Avco Corporation, yes.
 6 Q. And it's currently called Lycoming Engines --
 7 A. Yes, it is.
 8 Q. -- correct?
 9 A. Yes, it is.
 10 Q. And as of and before 2003, it was called what?
 11 A. I believe it was Textron Lycoming.
 12 Q. Okay. Textron Lycoming Reciprocating Engines
 13 Division, does that ring a bell?
 14 A. Yes. Yes, it does.
 15 Q. Okay. And Textron Systems Corporation, is that
 16 listed accurately in relationship to Avco?
 17 A. Yes, it is.
 18 Q. Is Bell Helicopter listed accurately in
 19 relationship to Textron, Inc.?
 20 A. Yes, it is.
 21 Q. And am I correct that Lycoming Engines is not a
 22 part of Bell Helicopter, Textron, Inc.?
 23 A. Did you say is or is not? I'm sorry, I
 24 couldn't hear you.

1 Q. I said is not. That Lycoming Engines is not a part
 2 of Bell Helicopter, Textron, Inc.?
 3 A. That is correct. It is not a part of Bell
 4 Helicopter, Textron, Inc.
 5 Q. And down -- there's a company called HR
 6 Textron, Inc.
 7 A. Yes, I see it.
 8 Q. What is HR Textron, Inc.?
 9 A. HR was a wholly owned subsidiary of
 10 Textron, Inc. and it manufactured, it escapes me
 11 right now, hydraulic -- hydraulics for aircraft
 12 rocketry.
 13 Q. HR Textron, Inc. is separate from Avco Corporation.
 14 Did I state that accurately?
 15 A. HR Textron, Inc. is a -- was a wholly owned
 16 subsidiary of Textron, Inc. directly.
 17 Q. Okay. Is it no longer a wholly owned subsidiary?
 18 A. It was sold.
 19 Q. Would you be kind enough to tell me when it was
 20 sold?
 21 A. 2009.
 22 Q. And is it also accurate to say then that when HR
 23 Textron, Inc. was a wholly owned subsidiary of
 24 Textron, Inc., that Lycoming Engines was not a part

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1 of HR Textron?
 2 A. That is correct. It was not a part of HR
 3 Textron, Inc.
 4 Q. Okay. I notice on this page --
 5 MS. SLAVIN: Brad, would this be a
 6 good time to take a break, a comfort break? I'm
 7 sorry, I didn't mean to interrupt.
 8 MR. STOLL: No, that's okay.
 9 Miss Willaman, we're going to take a break for a
 10 little bit.
 11 THE WITNESS: Thank you very much.
 12 THE VIDEOGRAPHER: The time is
 13 11:32 and we are going off the record.
 14 (RECESS TAKEN)
 15 THE VIDEOGRAPHER: The time is
 16 11:43. This is the beginning of DVD number two in
 17 the deposition of Ann T. Willaman. We're back on
 18 the record.
 19 Q. Miss Willaman, going back to Exhibit 4 which we
 20 left off on.
 21 A. Yes, sir.
 22 Q. Avco Corporation is listed as being located in
 23 Providence, Rhode Island. Is there a physical
 24 address where there is an Avco office?

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1 A. No, there is not.
 2 THE VIDEOGRAPHER: Excuse me.
 3 Could I ask you to move your mike so it's pointing
 4 up towards your mouth.
 5 THE WITNESS: Oh, sorry.
 6 THE VIDEOGRAPHER: You can put it
 7 lower down on your collar if you want. Like right
 8 on your lapel is fine. As long as it's angled up
 9 towards your mouth, it will be fine.
 10 THE WITNESS: Is that better?
 11 THE VIDEOGRAPHER: Say that again.
 12 THE WITNESS: My name is Ann
 13 Willaman. Is that better?
 14 THE VIDEOGRAPHER: That's great.
 15 Thank you.
 16 THE WITNESS: Hm-mmm. I'm sorry?
 17 Q. Is it accurate -- you had answered my question and
 18 then there was some discussion about your
 19 microphone. I have a new question to move on to.
 20 A. Okay.
 21 Q. Is it accurate to say that Avco Corporation -- let
 22 me ask you this. How come Providence, Rhode Island
 23 is listed for Avco?
 24 A. Providence is often listed for Avco

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1 Corporation on a lot of these documents. When we
 2 acquired Avco in 1985, the corporate office of Avco
 3 which was formerly in Greenwich, Connecticut was
 4 moved to Providence, Rhode Island and many of its
 5 officers and its directors were physically located
 6 in Providence, Rhode Island.
 7 Q. Has that changed?
 8 A. Yes. Very few of its -- I'm the only
 9 vice-president of Avco Corporation resident in
 10 Rhode Island. The rest of the officers are located
 11 in Wilmington, Massachusetts or at Lycoming's
 12 facility in Williamsport, Pennsylvania.
 13 Q. Is there a physical office which is dedicated
 14 solely to Avco Corporation?
 15 MS. SLAVIN: Objection, asked and
 16 answered. And I don't know why we're taking a
 17 principal place of business deposition, but go
 18 ahead. You may answer.
 19 A. There is no bricks and mortar office of Avco
 20 Corporation.
 21 Q. What is the business of Avco Corporation?
 22 A. The business of Avco Corporation includes the
 23 manufacture, design, manufacture and sale of piston
 24 engine aircraft. Avco Corporation is also the

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1 parent of a number of wholly owned subsidiaries
 2 that manufacture a variety of products.
 3 Q. And do those subsidiaries include Textron Systems
 4 Corporation --
 5 A. Textron Systems Corporation --
 6 Q. -- and AAI?
 7 A. Textron Systems Corporation is a wholly owned
 8 subsidiary of Avco Corporation, United Industrial
 9 Corporation is a wholly owned subsidiary of Avco
 10 Corporation, and AAI is a subsidiary of United
 11 Industrial Corporation.
 12 Q. Does Avco and Textron, Inc. share the same
 13 accountants?
 14 MS. SLAVIN: Object to the form.
 15 A. The same accountants? Are we talking internal
 16 accountants? External? I don't --
 17 Q. Let's start with who does Avco Corporation's
 18 accounting?
 19 A. Lycoming manages its own financial books and
 20 records, and its numbers along with the numbers of
 21 Avco Corporation's other wholly owned subsidiaries,
 22 such as Textron Systems Corporation, United
 23 Industrial Corporation, AAI Corporation, are
 24 consolidated by Mark Bamford who is an assistant

1 treasurer of Textron -- excuse me, of Avco
2 Corporation.
3 Q. And what is Mr. Bamford's position at
4 Textron, Inc.?
5 A. He is a director, and not a member of the
6 board of directors, but the position of director in
7 our corporate controller's department.
8 Q. And then from Mr. Bamford who collects the
9 financial information from those wholly owned
10 subsidiaries of Avco, does that information get
11 passed on to Textron?
12 MS. SLAVIN: Object to the form.
13 Q. Well, let me ask it this way. What is the purpose
14 of Mr. Bamford's collection of financial
15 information from the subsidiaries?
16 A. Because Textron, Inc. reports its financials
17 on a consolidated basis and they -- each business
18 unit's financials roll up through their segment or
19 their subsidiary and are consolidated so that we
20 have one set of financials for the corporation and
21 its divisions and subsidiaries and that is what we
22 file and make available to the public.
23 Q. In the form of an SEC filing?
24 A. Yes, sir. Our annual report on 10-K which

1 gobbledygook.
2 Q. Okay.
3 A. But I --
4 Q. Then let's --
5 A. I can identify parts of this because it's part
6 of our public filings, but not the whole document
7 or the source.
8 Q. Let's see if you can identify the parts I would
9 like to speak about which are located on pages
10 three.
11 MS. SLAVIN: And before we go any
12 further -- I'm sorry, Brad. Go ahead.
13 Q. Let's take a look at pages three through ten or
14 three through 12 -- 11, I guess. Three through 11.
15 MS. SLAVIN: I'm going to lodge a
16 continuing objection to a document the witness has
17 never seen before, but I will allow her to answer
18 if she can.
19 MR. STOLL: I will attempt to lay
20 the appropriate foundation to allow Miss Willaman
21 to answer these questions.
22 Q. Miss Willaman, I'm looking at Page 3 of 317. Are
23 you on the same page?
24 A. Yes, sir, I am.

1 shows the year in full and we also file a quarterly
2 report on 10-Q each quarter -- the first three
3 quarters, excuse me.
4 Q. Now, I've provided a clip of documents which I am
5 holding. It's labeled Exhibit 14.
6 A. Okay.
7 Q. Which I don't want to mark the whole entire thing.
8 I've provided the whole document out of fairness to
9 you, but I really only have a question on a few
10 pages and we can just mark the cover page and the
11 pages.
12 My question to you is are you able to identify
13 this document marked as Exhibit 5?
14 THE WITNESS: You want to mark
15 this?
16 THE REPORTER: Well, I'm not sure
17 what he wants marked yet, so.
18 A. Okay. I have never seen this particular
19 document before. It appears to be a report put
20 together by a third party which pulls certain of
21 our public filings, including our 10-K, and it also
22 has in the back the names of a variety of lawsuits,
23 and there are a number of pages in the back which I
24 have no idea what they are because it's

1 Q. I notice in small print on the bottom it says,
2 "Source: 10-K, 02/24/2006." Do you see that?
3 A. Yes, sir, I do.
4 Q. Are you familiar with the 10-K filed on
5 February 24, 2006?
6 A. Yes, I am.
7 Q. Okay. Are you able to testify -- well, let me ask
8 you this. Would the information appearing on
9 Page 3 of 17 appear to come from the Textron 10-K?
10 MS. SLAVIN: Well, wait a minute.
11 Brad, you don't have a copy of the 10-K here and
12 her familiarity with the document from four years
13 ago which isn't in front of her, I object, and she
14 can answer to the best she's able to answer.
15 MR. STOLL: Then you object.
16 MS. SLAVIN: I'm objecting.
17 MR. STOLL: You can object, but --
18 MS. SLAVIN: Okay. And the other
19 thing --
20 MR. STOLL: -- the manner in which
21 you are objecting is improper.
22 MS. SLAVIN: Well, the question --
23 no, sir.
24 MR. STOLL: -- identify the

1 information, she can do it, but, Cathy, you cannot
2 coach the witness.

3 MS. SLAVIN: I'm not coaching the
4 witness. The witness knows more about all of this
5 than both of us put together, Brad.

6 And just may I also lodge my objection, the
7 source of this document which you also didn't read
8 at the bottom of page three is "GSI, a division of
9 Thomson West." So, apparently, GSI is purporting
10 to attribute the 10-K from 2/24/2006, but I think
11 the more appropriate way to do this would be to
12 have the 10-K from 2/24/2006 in front of the
13 witness instead of asking her questions about what
14 a third party has done, and I object. I'm still
15 allowing her to answer, but I object. It's
16 totally inappropriate.

17 MR. STOLL: That's fine. It is not
18 totally inappropriate.

19 MS. SLAVIN: Sure, it is.

20 MR. STOLL: And your objection is
21 inappropriate because you just basically
22 testified, not testified, but imprinted. And
23 Miss Willaman is doing a fine job testifying and
24 she doesn't need your assistance.

1 usual stipulation entered onto the record. So
2 please don't lecture me and allow me not to make
3 my record and to preserve an objection to a line
4 of questioning that you're sure to use or attempt
5 to use at some point in time. That's my
6 objection. I think it's inappropriate that you're
7 asking the witness about this. I'm objecting, but
8 I am allowing her to answer.

9 MR. STOLL: The way you just
10 objected was fine. It was the way you objected
11 before which wasn't fine, but let's move on.

12 MS. SLAVIN: Let's.

13 Q. Business Segments. Miss Willaman, there's a title
14 for Business Segments on this document. Do you see
15 that?

16 A. Yes, sir, I do.

17 Q. It says, and I'm going to quote from a section in
18 that first paragraph, it begins with, "A
19 description of the business done and intended to be
20 done by each of our business segments is set forth
21 below."

22 Is that language that comes from Textron, Inc.
23 in its 10-K?

24 A. This is -- it appears to be Textron, Inc.'s

1 MS. SLAVIN: Sir.

2 MR. STOLL: I'm going to ask her
3 questions about this document and if she can't
4 answer it, she is perfectly capable of telling me.
5 She does not need you to coach her.

6 MS. SLAVIN: I'm not coaching her,
7 Brad. It's an inappropriate question and I'm
8 putting my objection.

9 MR. STOLL: It is not. The
10 objection, as Judge Abramson has informed the
11 parties, the objections are to form, foundation
12 and the rules also allow you to object to preserve
13 a privilege and here, since there's a protective
14 order, you can object to the protective order, but
15 do not object in the manner in which you're doing
16 it because I don't want to have that fight with
17 you. Let's just ask the question and see if we
18 can move on.

19 MS. SLAVIN: So that we are clear,
20 actually, the portion of the colloquy from Judge
21 Abramson was on the usual stipulations to a
22 deposition in which objections other than to form
23 and privilege are reserved until the time of
24 trial. We did not begin this deposition with the

1 10-K that has been pulled. So this would be
2 Textron, Inc. setting that forth.

3 Q. Okay. Now, the next line, it says the Bell
4 segment. What is the Bell segment? Is that Bell
5 helicopters?

6 A. In 2005, as it states there, it included the
7 business that manufactures Bell helicopters and it
8 also comprised Textron Systems.

9 Q. Okay. And my question for you, ma'am, is that as
10 of at least 2007, Textron Systems was listed under
11 Avco Corporation. Was that different in 2005?

12 MS. SLAVIN: Object to the use of
13 the term "listed under," but go ahead.

14 A. Textron puts its divisions and subsidiaries
15 into segments that have similarities, but the
16 segments do not necessarily track legal ownership
17 of the businesses in the segment.

18 Q. And that accounts for the grouping of Textron
19 Systems in the Bell segment?

20 A. That is correct. It's simply a management
21 grouping of similar businesses.

22 Q. And does that also explain why Lycoming Engines is
23 also listed in the Bell segment? And I am looking
24 on Page 5 of 317, and if I can direct your

1 attention to the top paragraph, four lines from the
 2 bottom of that paragraph beginning with the word
 3 "reciprocating."
 4 A. I'm sorry. Could you repeat the question?
 5 Q. Sure. I was really directing your attention to an
 6 area.
 7 A. Okay. I see.
 8 Q. It begins, "Reciprocating piston aircraft engines
 9 are sold under the Lycoming name directly to
 10 general aviation airframe manufacturers and in the
 11 aftermarket through domestic and internal --
 12 international distributors." Do you see that?
 13 A. Yes, I do.
 14 Q. And I guess the question I had was why was Lycoming
 15 being listed under Bell, and you've answered that
 16 by saying that the grouping of segments does not
 17 track the corporate structure. Did I state that
 18 accurately?
 19 A. That is correct. In this particular
 20 paragraph, as I read it, it says that Lycoming,
 21 it's included in under the Textron Systems piece
 22 which is part of --
 23 Q. Oh, I'm sorry.
 24 A. -- which at the time was part of the Bell

1 segment.
 2 Q. Yes, you have corrected me, that Textron Systems is
 3 the name of the company immediately above that.
 4 A. Right.
 5 Q. But we do agree that Lycoming Engines is not an
 6 operating division of Textron Systems?
 7 A. It is not an operating division of Textron
 8 Systems Corporation, no.
 9 Q. And I have it is an operating division of Avco
 10 Corporation, we've established that, and I don't
 11 see a listing for Avco Corporation in the
 12 description of Textron's businesses. Is that
 13 generally how these 10-K forms are drafted by
 14 Textron, Inc.?
 15 MS. SLAVIN: I'm going to object to
 16 the form. That goes -- 10-Ks go back a long time.
 17 You can answer if you can.
 18 A. I didn't -- I don't write the 10-K. So I'm
 19 not sure what the regulations are with respect to
 20 identification of exact legal ownership. So I
 21 can't really answer your question.
 22 Q. Do you recall a 10-K which listed Avco Corporation
 23 as a business activity of Textron, Inc.?
 24 A. I cannot recall that, no.

1 MR. STOLL: Okay. Those are the
 2 only questions I have with this exhibit. And I
 3 would ask that we can have the whole thing marked
 4 or only the cover page up until page 11. I would
 5 ask for up to page 11, but your counsel can mark
 6 the whole thing.
 7 MS. SLAVIN: I'd like the whole
 8 thing. Thanks, Brad.
 9 MR. STOLL: All right.
 10 (PLAINTIFF'S EXHIBIT 5 MARKED FOR
 11 IDENTIFICATION)
 12 Q. Miss Willaman, paragraph three of your affidavit
 13 marked Exhibit 1.
 14 A. Yes, sir.
 15 Q. "My responsibilities as an Assistant Secretary
 16 require that I remain knowledgeable on the general
 17 lines of business pursued by Textron, its
 18 subsidiary corporations and divisions."
 19 Did I read that correctly?
 20 A. Yes, sir, you did.
 21 Q. Okay. How do you stay current on the general lines
 22 of businesses pursued by Textron and its
 23 subsidiaries and divisions?
 24 A. Well, in addition to the fact that I work at

1 the corporate office and have for over 30 years and
 2 have day-to-day knowledge of these businesses, the
 3 description of our businesses are in a lot of
 4 publications that I read, including our 10-Ks, our
 5 10-Qs, our proxy statements, there are descriptions
 6 of business on our website, and we have a Fact Book
 7 which I refer to periodically which is also
 8 available on our website and those go into a lot of
 9 detail about the lines of business. I also
 10 subscribe to reporting services which provide news
 11 releases about Textron, its products, its
 12 businesses.
 13 Q. Okay. With respect to Lycoming Engines, the
 14 operating division of Avco, what specific documents
 15 do you review to keep yourself current of its
 16 general lines of business?
 17 A. The annual report and the Fact Book, and I
 18 also get any news bulletins that may be issued on
 19 Lycoming.
 20 Q. What are the sources of the news bulletins?
 21 A. It's a --
 22 Q. Let me ask. I thought my question was vague, but I
 23 guess -- my question was what are the sources of
 24 the news bulletins? Is that something that is a

1 Textron document or are we going out into the world
 2 and finding news?
 3 A. There is a page on our website which has all
 4 of our business unit news bulletins, and there's
 5 also a service that provides, you know, information
 6 that it gets on web for subscriptions, but the
 7 Textron.com website has a complete listing of both
 8 Textron, Inc.'s news releases, as well as those of
 9 our business units, and I review that regularly,
 10 and then the 10-K and the 10-Q.
 11 Q. And I understand that that -- those sources are
 12 publicly available. Anybody can go to the website
 13 and find the information, correct?
 14 A. Correct.
 15 Q. And that includes the 10-K and the 10-Q, the fact
 16 report, the Fact Book that you mentioned?
 17 A. Yes, sir.
 18 Q. And also you mentioned a service provides
 19 information on the web. Is that a service on your
 20 website or something else?
 21 A. It's Google.
 22 Q. Okay. So just understanding your identification of
 23 that service, there's occasions when you're sitting
 24 behind your computer and you Google Lycoming

1 Engines to find out information about the operating
 2 division; is that correct?
 3 A. No. If there is some sort of news bulletin
 4 where Lycoming may come up as a division of
 5 Textron, Inc. or as a division, a manufacturing
 6 business belonging to the Textron family, because
 7 the word Textron is in it, that is the way I would
 8 get that message. It's not --
 9 Q. That makes it clear.
 10 A. It's not specific to Lycoming. It's all of
 11 Textron's businesses.
 12 Q. Is there information which is not publicly
 13 available that you review to stay abreast of the
 14 general lines of business of Lycoming Engines?
 15 A. No, sir.
 16 Q. Okay. Are there any meetings at Textron -- let me
 17 rephrase that.
 18 Are there any meetings between the folks at
 19 Lycoming Engines with Textron, Inc. to discuss the
 20 operating business of Lycoming Engines?
 21 MS. SLAVIN: Object to the form.
 22 A. Not that I'm aware of.
 23 Q. Is there an individual or group of individuals at
 24 Textron, Inc. who are charged with the oversight of

1 Avco Corporation?
 2 MS. SLAVIN: Object to the form.
 3 A. There is no group of people who are
 4 specifically tasked with oversight of Avco
 5 Corporation. The management of Textron, Inc. is
 6 tasked with oversight of all of its business units,
 7 both the unincorporated operating divisions and
 8 subsidiaries as the ultimate parent corporation.
 9 Q. Is there an individual or group of individuals
 10 tasked with oversight of Lycoming Engines? I have
 11 to ask that question since I asked the previous
 12 one.
 13 A. Certainly.
 14 Q. You may have answered it already, but please
 15 respond to that question.
 16 A. The management of Textron Systems Corporation
 17 who are the officers of Avco Corporation have
 18 responsibility for oversight of Lycoming.
 19 Q. Does Avco Corporation's vice-president also have
 20 responsibility for oversight of Lycoming?
 21 MS. SLAVIN: Which one?
 22 MR. STOLL: Any of them.
 23 A. Well, for example, Mr. Kraft who is a
 24 vice-president of Avco Corporation is the general

1 manager of Lycoming. So he has day-to-day
 2 responsibility for that operation.
 3 Q. Wouldn't it be accurate to say that all of the
 4 officers of Avco Corporation, all the
 5 vice-presidents have some oversight responsibility
 6 of Lycoming Engines?
 7 MS. SLAVIN: Object to the form.
 8 A. Lycoming is part of Avco Corporation. A
 9 corporation's officers and directors are -- its
 10 officers are responsible for the management of its
 11 operations and, you know, certain officers have
 12 deeper day-to-day responsibility than others, but
 13 they're not, for example, like Mr. Kraft who is
 14 physically located at Lycoming and serves as the
 15 general manager for the facility.
 16 Q. Paragraph four of your affidavit --
 17 A. Four?
 18 MS. SLAVIN: Four.
 19 Q. -- provides, "My responsibilities as an Assistant
 20 Secretary include the monitoring of each corporate
 21 entity in the Textron organization, to ensure that
 22 each entity is, and remains, in compliance with all
 23 statutory requirements and corporate formalities."
 24 What statutory requirements are you referring

1 to?

2 A. Corporate statutory requirements to hold

3 annual meetings, to have the correct number of

4 officers and directors, to have stock issued,

5 general corporate governance requirements pursuant

6 to the laws where the company is incorporated.

7 Q. And you mentioned corporate formalities. What

8 corporate formalities are you referring to?

9 A. Minutes, primarily, and certificates as

10 required.

11 Q. Now, you were also -- when you were an assistant

12 secretary at Avco, was it also your responsibility

13 to monitor each corporate entity in the Avco

14 organization to ensure that each entity is and

15 remained in compliance with all statutory

16 requirements and corporate formalities?

17 MS. SLAVIN: I'm going to object to

18 the form, but...

19 A. As an assistant secretary of Textron, Inc., my

20 responsibility is to monitor the subsidiaries, all

21 of our subsidiaries, and that would include the

22 subsidiaries of Avco Corporation.

23 Q. Right, but you were also the assistant secretary of

24 Avco at one point, were you not?

1 A. I am, sir, yes.

2 MS. SLAVIN: Still. Your verb

3 tense is wrong.

4 Q. Okay, my apologies.

5 And in that capacity, do you hold the same

6 responsibility to Avco aside from your role at

7 Textron?

8 A. Yes, I do.

9 Q. Now, you mentioned minutes. Are we talking

10 about -- what do you mean by minutes?

11 A. Minutes of meetings of board of directors or

12 the shareholders of an entity and if permitted by

13 state or jurisdictional law, they can act by

14 unanimous written consent, the consents are deemed

15 to be minutes.

16 Q. Do you read the minutes?

17 A. I draft them in most cases for many of our

18 subsidiaries, and those that I do not draft I do

19 read.

20 Q. Have you drafted minutes which addressed the

21 Lycoming Engines division of Avco Corporation?

22 MS. SLAVIN: Object to the use of

23 "addressed," but...

24 A. I have, I believe, drafted minutes at some

1 point in the last 25 years where Lycoming was

2 mentioned.

3 Q. Was that in your capacity as assistant secretary of

4 Textron?

5 A. No, sir. It was in my capacity as an

6 assistant secretary of Avco Corporation that I

7 drafted those minutes.

8 Q. Were there minutes addressing Lycoming Engines

9 where -- let me -- I'll strike that question. I'll

10 come back to it.

11 Were there minutes that you drafted -- were

12 there minutes that you drafted as the assistant

13 secretary of Textron which addressed Lycoming

14 Engines?

15 A. I only started drafting Textron, Inc. minutes

16 beginning in January of this year when I moved to

17 the Textron, Inc. Corporate Secretary's Department,

18 and I have not drafted any minutes of Textron, Inc.

19 board or its committees which speak to Lycoming.

20 Q. How are those minutes stored?

21 A. How are the minutes -- I didn't hear what you

22 said -- stored?

23 Q. Yes, ma'am.

24 MS. SLAVIN: Whose minutes? The

1 minutes she'd draft? Other people's minutes?

2 MR. STOLL: Minutes of

3 Textron, Inc.

4 MS. SLAVIN: Okay.

5 A. The minutes of Textron, Inc. are retained in

6 minute books which are located adjacent to my

7 office.

8 Q. Are they retained in electronic form?

9 A. They are now, but they don't -- I don't have

10 them in electronic form going back to, for example,

11 1928. More recently, they're available in

12 electronic form.

13 Q. Okay. Are they searchable?

14 MS. SLAVIN: Electronic? Hard

15 copy? Both?

16 MR. STOLL: The minutes, any of

17 them.

18 A. Searchable? I'm not...

19 Q. Yes, searchable. If you wanted to find out when

20 Lycoming Engines was referenced in the minutes, is

21 there an index? Is there a word search that can be

22 used?

23 A. Not that I'm aware of, no.

24 Q. Okay. How would the board of directors or any

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1 entity or any person that Textron, Inc. if they
 2 were looking up an issue in the minutes, how would
 3 they search that?
 4 A. They would have to get the minute books and
 5 read through them.
 6 Q. Okay. What types -- well, do the minute books at
 7 Textron, Inc. address the 2002 crankshaft recall at
 8 Lycoming Engines?
 9 MS. SLAVIN: Object to the form.
 10 A. I don't know. I would have to go back and
 11 review the minutes for that year.
 12 Q. Do you know, has anybody gone back and reviewed
 13 those minutes for reference to Lycoming Engines for
 14 this litigation?
 15 A. Not that I know of.
 16 Q. Okay. Did you have any responsibility for
 17 responding to discovery requests in this
 18 litigation?
 19 A. Not that I'm aware, no.
 20 Q. Nobody asked you to search for documents requested
 21 by the Plaintiffs in this case? You don't recall
 22 that?
 23 A. No.
 24 Q. Okay. And I just want to make -- all right.

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1 MS. SLAVIN: It's beyond the scope
 2 of the affidavit, Brad, but continue.
 3 Q. Paragraph four, you mention monitoring each
 4 corporate entity. How do you monitor them?
 5 A. I have a checklist of items that I make sure
 6 each company fulfills during the course of the
 7 year, and in those instances where I do not
 8 maintain the minute books physically and other
 9 people work on them, I simply liaise with them to
 10 make sure that these items have been handled. It
 11 would include annual elections, making sure that
 12 the share certificates, if issued, are properly
 13 stored, very general governance type issues, making
 14 sure that the minutes are complete, fully signed
 15 and approved.
 16 Q. Does it ensure there's periodic financial
 17 statements of the various subsidiaries that are
 18 being produced?
 19 A. That is not my responsibility, the production
 20 of financial statements.
 21 Q. Is that a corporate formality, though, that you're
 22 familiar with?
 23 A. I am familiar with financial statements, yes.
 24 Q. Does Mr. Bamford prepare the financial statements

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1 for Avco Corporation?
 2 A. Mr. Bamford does consolidate all of Avco's
 3 financial statements, yes.
 4 Q. Okay. And does he use certified statements or just
 5 general statements; do you know?
 6 A. I don't know.
 7 MR. STOLL: And just bear with me.
 8 I'm being quiet because I'm going through my notes
 9 to streamline this so I don't ask duplicate
 10 questions and to make sure that I don't make
 11 Miss Slavin object.
 12 Q. Miss Willaman, are you familiar with how
 13 Textron, Inc. creates and monitors its website?
 14 A. The website is --
 15 Q. The Textron, Inc. website. I'm sorry, I thought
 16 you were asking me a question. I didn't mean to
 17 interrupt. I'm sorry.
 18 A. That's all right. Our corporate
 19 communications group designs the website and the
 20 webmistress is a member of that department and
 21 various other departments provide updates to the
 22 information that is on the website and our business
 23 units also provide us with information relating to
 24 their businesses that's up there.

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1 Q. So is it accurate to say that -- let me start over.
 2 Does Textron, Inc. verify that the information
 3 being posted on its website is accurate?
 4 MS. SLAVIN: Before the witness
 5 answers, I'm going to lodge an objection that this
 6 line of questioning is beyond the scope of the
 7 affidavit that is attached as Exhibit 1 and Judge
 8 Abramson's August 20 court order, but I will allow
 9 the witness to answer the question as I have the
 10 other ones previously.
 11 MR. STOLL: I lodge my same
 12 response, but go ahead, Miss Willaman.
 13 A. The website is maintained by the Corporate
 14 Communications Department at Textron, Inc. and I do
 15 not know what their process is for verifying the
 16 information that is posted on our website.
 17 Q. Miss Willaman, how is Textron notified of current
 18 events at Lycoming Engines?
 19 MS. SLAVIN: I'm going to object to
 20 the form and also to the question as being beyond
 21 the scope of the August 20 order.
 22 A. I'm not sure what you mean by current events.
 23 Q. Your affidavit provided a paragraph saying that
 24 your responsibilities caused you to be

1 knowledgeable of the general business guidelines.
 2 I'm not quoting you. Paragraph three, general
 3 lines of business for you --
 4 A. Yes.
 5 Q. -- personally. My question to you is not you
 6 personally, but Textron. How does Textron remain
 7 knowledgeable about the goings on at Lycoming
 8 Engines?
 9 MS. SLAVIN: I'm going to object
 10 again as an improper question beyond the scope of
 11 the August 20 order and beyond the scope of the
 12 affidavit marked as Exhibit 1, and I'm going to
 13 let her answer this question, but I don't think
 14 it's a proper one.
 15 MR. STOLL: Okay, same response.
 16 A. Lycoming, the unincorporated operating
 17 division of Avco Corporation, reports up through
 18 Textron Systems and Textron Systems reports up to
 19 Textron. So through a tiered reporting system,
 20 Textron, Inc. would be made aware of, as you call
 21 them, events or issues with respect to Lycoming.
 22 They would come up through segment management
 23 reporting.
 24 Q. Now, is this a periodic reporting or is this

1 something that is done on an as needed basis?
 2 A. No, sir. It's absolutely periodic. It's done
 3 every quarter in advance of the preparation of our
 4 10-Qs and our 10-K. Each business unit is
 5 requested to certify either that there are no
 6 issues impacting or have the potential to impact
 7 their business, and it just keeping going up from
 8 one management level to the next. If there are
 9 issues that impact their particular business unit,
 10 they are described in detail. And, as I said, they
 11 just keep going up the management chain, up through
 12 their segment, and the segment delivers a final
 13 report to Textron, Inc. that covers all of the
 14 business units in that segment. And then the folks
 15 at Textron, Inc. in Providence who have
 16 responsibility for determining which items need to
 17 be reported in our public filings will read all of
 18 these reports and make that determination, but it
 19 includes our entire executive management team and
 20 the individuals who are responsible for all of our
 21 major corporate departments, and that is done in
 22 advance of each 10-Q or 10-K. And our CEO and/or
 23 CFO are each required to personally certify that
 24 full disclosure has been made and that we haven't

1 misstated any material items or neglected to report
 2 any material items, items that would be material to
 3 the entire Textron, Inc. organization.
 4 Q. Do you know who the individual at Lycoming Engines
 5 who generates that report, for lack of a specific
 6 word, is?
 7 MS. SLAVIN: Object to the form and
 8 it's unlimited in scope. I mean, Avco was bought
 9 out in '85. So we're talking about 25 years.
 10 A. Presently --
 11 MR. STOLL: I'm asking about
 12 Lycoming Engines.
 13 MS. SLAVIN: Well, Lycoming Engines
 14 is an unincorporated division of Avco and we're
 15 talking about a 25 year period when there would be
 16 reporting to Textron. So, I mean, I think the
 17 witness was about to answer presently. I just
 18 have an objection to the breathtaking overbreadth
 19 of that question.
 20 Q. Okay, ma'am. Can you answer that on the present
 21 day?
 22 A. Can you repeat the question? I'm sorry. Is
 23 it who provides the report on behalf of Lycoming?
 24 Q. Who at Lycoming Engines or on behalf of Lycoming

1 Engines presents the report which discusses issues
 2 at Lycoming Engines?
 3 MS. SLAVIN: Object to the form.
 4 A. It would be Mr. Kraft who's the general
 5 manager and his management team.
 6 Q. As long as Mr. Kraft has been the general manager,
 7 has he always had that responsibility?
 8 A. Yes. That's the responsibility of each of our
 9 business unit heads.
 10 Q. Do you recall when Mr. Kraft became general
 11 manager?
 12 A. No, I do not.
 13 Q. Do you know who it was before Mr. Kraft?
 14 A. It was Ian Walsh.
 15 Q. Do you know who at Textron Systems currently is the
 16 person who receives that information from Lycoming
 17 Engines?
 18 MS. SLAVIN: Object to the form.
 19 A. I do not know who actually receives that
 20 report at Textron Systems.
 21 Q. Do you know by title of the person, what that
 22 person's job is who would receive that report?
 23 A. No, I do not.
 24 Q. Okay. And then from Textron Systems, it goes to

1 Textron, Inc.; is that accurate?

2 A. Textron Systems would aggregate the reports of

3 all of the business units that are within the

4 Textron Systems segment and then they would provide

5 the segment report to Textron, Inc.

6 Q. And who at Textron, Inc. reviews and receives that

7 report?

8 A. The executive management team would receive

9 it.

10 Q. Do you know who the people on the executive

11 management team are?

12 A. Yes, sir.

13 Q. Would you identify them for me, please?

14 A. Scott Donnelly, D-o-n-n-e-l-l-y, who is our

15 president and chief executive officer, Frank Connor

16 who is our executive vice-president and chief

17 financial officer, John Butler, B-u-t-l-e-r, who is

18 our executive vice-president and chief Human

19 Resources officer, and Terrence O'Donnell who is

20 executive vice-president, general counsel and

21 corporate secretary.

22 Q. Ma'am, before you prepared your affidavit, what

23 documents did you review?

24 A. Before I prepared this affidavit, did you say?

1 Q. Yes. What documents, if any, did you review?

2 A. I would have reviewed the corporate minute

3 book for Avco, and I also had a good standing

4 certificate from the State of Delaware that

5 confirmed that the company was in good standing as

6 of recent date, and the rest of it is my personal

7 knowledge.

8 Q. The corporate minute book at Avco, how far back did

9 that go that you reviewed?

10 A. The corporate minute books of Avco go back to

11 1929. I did not review them going back that far.

12 I would really only review and ordinarily only

13 review the last year of minutes to make sure that

14 there's nothing that changes the information in

15 this affidavit.

16 Q. Are you aware how Textron was notified of the

17 Lycoming crankshaft recall?

18 A. No, sir, I'm not.

19 MS. SLAVIN: Whoa, whoa, whoa.

20 That's beyond the scope of the affidavit,

21 Mr. Stoll, and I object to the question. She's

22 answered no, but...

23 MR. STOLL: Okay. Miss Slavin, I

24 have some questions that I'm going to ask to

1 preserve my record. And if you feel that they are

2 improper, you can lodge the appropriate

3 objections, but I do have some questions that I

4 would like to ask just to make the record.

5 MS. SLAVIN: Well, not to worry, I

6 will object if I think that they're inappropriate,

7 but I certainly would expect that you are not

8 going to run afoul of the matters that are set

9 forth in the August 20 order which you are

10 precluded from asking about.

11 MR. STOLL: No. Well, I don't want

12 to fight with you on the record. I do disagree

13 with how you just stated that.

14 MS. SLAVIN: Well, the order speaks

15 for itself, and engine crankshafts and recalls are

16 category one and they're certainly category three,

17 as well.

18 So I'm just cautioning you that I'm

19 cautioning you that any questions in that regard

20 are beyond the scope of the order and are in

21 specific violation thereof, but you may proceed.

22 MR. STOLL: Okay. I will proceed

23 and you can instruct the witness how you feel

24 appropriate.

1 Q. Was Textron advised of the crankshaft recall?

2 MS. SLAVIN: I object. That

3 question is in violation of the August 20 order.

4 You may answer.

5 A. I don't know.

6 Q. Do you have any knowledge about that issue?

7 A. No.

8 Q. As vice-president of Avco, it was never brought to

9 your attention?

10 A. I know --

11 MS. SLAVIN: I'm going to object.

12 Your question was how Textron -- whether Textron

13 was notified or how it was notified. That's a

14 different question.

15 MR. STOLL: No, no, no. There was

16 a question in between that which was I was asking

17 Miss Willaman if she had any personal knowledge of

18 it and I asked her do you know anything, do you

19 have any knowledge, and she -- well --

20 MS. SLAVIN: Fair enough, Brad. I

21 stand corrected.

22 A. I'm sorry. I thought you meant -- I thought

23 we were still on the Textron, Inc. question. I

24 know --

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1 Q. No. That's fair.
 2 A. -- about the --
 3 Q. That's fair.
 4 A. I apologize.
 5 Q. Okay. How was that information transferred up the
 6 corporate chain to Textron?
 7 MS. SLAVIN: I'm going to object to
 8 the form. I think it's beyond the scope of the
 9 order and the witness' personal knowledge.
 10 Q. Ma'am, is that beyond your personal knowledge?
 11 A. I don't know how that information was made
 12 known to Tex -- that specific information was made
 13 known to Textron, Inc., no, I do not know that.
 14 Q. Do you know whether the course of action chosen at
 15 Lycoming Engines on the crankshaft recall was
 16 discussed and approved -- and/or approved by
 17 Textron, Inc.?
 18 MS. SLAVIN: I object to the
 19 question as being in violation of the specific
 20 prohibition in the August 20 order.
 21 A. I do not know.
 22 Q. Okay. Are you aware of a fund that Textron, Inc.
 23 keeps to pay the liability and debts of its
 24 subsidiaries?

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1 MS. SLAVIN: I object to that
 2 question which is totally improper as being a
 3 blatant violation of the August 20, 2010 order.
 4 MR. STOLL: I disagree. There's a
 5 question pending --
 6 MS. SLAVIN: And I've objected.
 7 And you didn't move for reconsideration, and I
 8 object to the question, and the witness may
 9 attempt to answer.
 10 A. I do not know of any such fund.
 11 MR. STOLL: Okay. I would like to
 12 take five minute break to go over my notes --
 13 MS. SLAVIN: Sure.
 14 MR. STOLL: -- and see if there's
 15 anything else. Otherwise, Miss Willaman, you may
 16 be finished, but just let me take a look at what I
 17 have.
 18 MS. SLAVIN: Sure, Brad.
 19 MR. STOLL: So we'll go off the
 20 record.
 21 THE VIDEOGRAPHER: The time is
 22 12:40. We are going off the record.
 23 (RECESS TAKEN)
 24 THE VIDEOGRAPHER: We are on the

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1 record. The time is 12:47 p.m.
 2 Q. Ma'am, is there anyone at Avco Corporation -- let
 3 me rephrase that.
 4 Are there any officers of Avco Corporation who
 5 are charged with risk management of Lycoming
 6 Engines?
 7 MS. SLAVIN: I object to the form,
 8 but...
 9 A. Officers of Avco Corporation who are charged
 10 with, and what was the end?
 11 Q. Risk management, risk management of Lycoming
 12 Engines.
 13 A. No. Not specifically, no.
 14 Q. Is there any employee of Textron who bears a duty
 15 to perform risk management of Lycoming Engines?
 16 MS. SLAVIN: Object to the form,
 17 the use of the word "duty."
 18 A. Not specifically, no, not that I'm aware of.
 19 Q. Other than the reports that we discussed, and they
 20 would be the reports that eventually filter
 21 upstream for the 10-Q and the 10-K, other than
 22 those reports, do you personally receive any
 23 documents, correspondence or anything addressing
 24 the Lycoming Engines division?

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1 A. No, I do not.
 2 Q. Are you aware if anybody else at Textron, Inc.
 3 does?
 4 A. I don't know specifically if other people
 5 receive information on Lycoming. I would imagine
 6 they do, but I do not. That's purely a guess on my
 7 part.
 8 MR. STOLL: Okay. I have a number
 9 of questions to ask, and I think I'm going to
 10 preserve my record this way by saying that I have
 11 a number of questions to ask on the issues which
 12 are subjected to the court's order which Miss
 13 Slavin is going to mark, and I want to complete
 14 the deposition with preserving any ability to
 15 appeal or otherwise that order to go into those
 16 issues. But at this time, I have nothing further
 17 to request of you, Miss Willaman, but just wish to
 18 state that should there be any subsequent ruling
 19 on that order, that I would have many more
 20 questions to ask.
 21 MS. SLAVIN: And I will just say
 22 since we're preserving a record that this witness
 23 was being produced pursuant to a consent order on
 24 this date which I think we will also mark, that

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1 you did not appeal the motion for reconsideration.
 2 And I understand you've got to do what you've got
 3 to do, but I don't agree that that's the
 4 appropriate procedural posture.
 5 And while we're at it, I'd like to, I think
 6 we're up to six and seven, mark those two orders
 7 for the record.
 8 So I appreciate your position, Brad.
 9 Obviously, I don't agree with it.
 10 MR. STOLL: Are you taking the
 11 position that by not asking the questions, I am
 12 waiving them?
 13 MS. SLAVIN: I'm not taking that
 14 position. I would like that you not put me in a
 15 position where I have to instruct the witness not
 16 to answer. You've already asked a number of
 17 questions that clearly run afoul of the court
 18 order, so.
 19 MR. STOLL: That you believe run
 20 afoul. I don't believe they do. We will agree to
 21 disagree on that.
 22 MS. SLAVIN: And that we will.
 23 But, you know, maybe it's for the judge to decide,
 24 but if you're done, you're done.

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1 But I would like to have those two orders
 2 marked for the record as, I believe, six and seven
 3 are the next exhibits.
 4 MR. STOLL: The consent order is
 5 which?
 6 MS. SLAVIN: The order entered by
 7 consent that Judge Abramson signed.
 8 MR. STOLL: Could you hold it up to
 9 the camera for me?
 10 MS. SLAVIN: Ann, would you hold it
 11 up.
 12 MR. STOLL: A little higher,
 13 please. Okay. That's the one, okay. There's an
 14 order entered --
 15 MS. SLAVIN: Well, there are two
 16 orders, Brad.
 17 MR. STOLL: -- by consent. I know,
 18 it's an order, but it was --
 19 MS. SLAVIN: In any event, I just
 20 want them marked on the record, and I guess we'll
 21 see where we go from here.
 22 MR. STOLL: Okay. Miss Willaman,
 23 thank you for your time.
 24 THE WITNESS: You're most welcome.

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1 MR. STOLL: And, again, I apologize
 2 for the accommodations.
 3 MS. SLAVIN: Not a problem, Brad.
 4 And the witness will read and sign.
 5 THE VIDEOGRAPHER: We all set?
 6 MS. SLAVIN: We're all set. Thank
 7 you, Brad.
 8 THE VIDEOGRAPHER: The time is
 9 12:52. This concludes the deposition. This is
 10 the end of DVD number two. We are off the record.
 11 (DEFENDANT'S EXHIBITS 6 & 7 MARKED FOR
 12 IDENTIFICATION)
 13 (DEPOSITION CLOSED AT 12:52 P.M.)
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1 CERTIFICATE
 2 I, Linda S. Taylor, hereby certify that I am
 3 expressly approved as a person qualified and authorized
 4 to take depositions pursuant to Rules of Civil Procedure
 5 of the Superior Court, especially but without
 6 restriction thereto, under Rules 28 and 30(b)(4) of said
 7 Rules; that the deponent was first sworn by me; that
 8 this deposition was stenographically reported by me and
 9 later reduced to print through Computer-Aided
 10 transcription; that the foregoing is a full and true
 11 record of the proceedings; and that a review of the
 12 transcript by the deponent was requested.
 13 Pursuant to Rule 30(f) of the Rules of Civil
 14 Procedure, original transcripts shall not be filed in
 15 court; therefore, the original is delivered to and
 16 retained by Plaintiff's attorney, Bradley J. Stoll, Esq.
 17
 18 IN WITNESS WHEREOF, I have hereunto set my hand
 19 this 14th day of September, 2010.
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